City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

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Ronald S. Trujillo, Dist. 4

Memorandum

To: Members of the Governing Body

From: Kelley Brennan KAB
Assistant City Attorney

Via: Geno Zamora
City Attorney

Re: Appeal of Diane Taliaferro from the
December 11, 2012 Decision of the Historic Districts Review Board
in Case #H-12-088
Driveway Relocation at 719 Gildersleeve Street
Case No. 2012-152

Date: December 31, 2012 for the January 9, 2013 Meeting of the Governing Body

The Appeal

On December 20, 2012 Diane Taliaferro[1] (Appellant) filed a Verified Appeal Petition (Petition) appealing the November 13, 2012 decision (the Decision) of the Historic Districts Review Board (HDRB) approving the application (Application) of Brian Blount and Caryli Blount (Applicants) to relocate the driveway and make related improvements (Project) to property they own at 719 Gildersleeve Street (Property). Copies of the Petition and the Application are attached as **Exhibit A** and **Exhibit B** respectively.

The Property

The Property is comprised of 0.146± acres of land improved with a single dwelling unit that fronts on Gildersleeve (Residence) and attached studio (Studio) in the rear, as well as with

[1] The Petition lists the following additional appellants: Pamela Cerosimo, 716 Gildersleeve; Marion Kassin, 714 Gildersleeve; Martha Abernathy, 718 Gildersleeve; and Sloan Cunningham, 907 Gildersleeve. As Diane Taliaferro is the sole appellant who executed the Petition, we refer to her throughout as the Appellant.

certain incidental improvements such as walls and fences. The Residence is contributing to the Don Gaspar Area Historic District (District). The Property is zoned R-21 (Residential – 21 dwelling units/acre).

History of the Case

The Project includes the relocation of the driveway from the south side of the Property to the north side, entailing, among other things, the removal of portions of an existing historic front retaining wall (Front Wall) and of an historic yard wall set back from the street to (Side Wall) to create an opening for the new driveway and infill of the existing driveway opening. A non-historic coyote fence located on the street side of the Side Wall will also be removed. The new driveway location will provide access to four parking spaces at the back of the Property to meet zoning requirements for two dwelling units. Currently, there is one parking space on the Property, with a potential for two. The additional two parking spaces provided by the Project will support the conversion of the Studio to a dwelling unit, which is permitted under applicable zoning[2]. However, the Application does not include modifications to the Residence or Studio.

The HDRB held a hearing on the Application on November 13, 2012 (the Hearing). HDRB staff provided the HDRB with a report (Staff Report) briefly describing the Application and recommending that the HDRB approve the Application and the exception for the removal of Front Wall and Side Wall historic materials. A copy of the Staff Report is attached as **Exhibit C**[3]. A copy of the minutes of the Hearing is attached as **Exhibit D**.

Findings of Fact and Conclusions of Law embodying the Decision were adopted by the HDRB on December 11, 2012 (Findings). The Findings (Item #12-102) are attached as **Exhibit E**.

Basis of Appeal

The Appellant states generally her belief that the Project will be detrimental to the historic character of the 700 block of Gildersleeve Street where it is located and expresses concern that the Project is intended as a first step to further development on the Property. She cites the following specific bases for appeal:

1. The Applicant was not the owner of the Property at the time the Application was filed (Claim 1).
2. The historic character of the Front Wall and the Side Wall has not been determined (Claim 2).
3. The Project will require the removal of two mature trees (Claim 3).
4. A prior HDRB approval required the then-owner to retain the white stucco as its historic color (Claim 4).

[2] R-21 zoning would allow for 3 dwelling units on the Property.
[3] Exhibit C does not include the material identified as "Applicant Submittals", which duplicate the material attached as ExhibitB.

5. It is difficult to determine whether an historic wire fence along the front and side of the house would be compromised (Claim 5).
6. The Application does not indicate whether the existing driveway, including the apron onto the street will be removed (Claim 6).
7. The notice of the Hearing posted on the Property gave the wrong location for the Hearing (Claim 7).

Discussion

Code §14-3.17(A)(2) provides that an appeal can only be filed if:

(1) the final action appealed from does not comply with Code Chapter 14 or §§3-21-1 through 3-21-14 NMSA[4] (the Statute);
(2) Code Chapter 14 has not been applied properly; or
(3) the decision appealed from is not supported by substantial evidence.

Pursuant to Code §14-3.17(D)(6)(a) the City Attorney's Office (CAO) has reviewed the Petition and for the reasons set forth below concurs with the determination of the Land Use Department Director that it does not conform to the requirements of Code §14-3.17 in that it does not state a valid basis for appeal under any of the foregoing provisions.

General Claims. With respect to Appellant's general statement that the Project will be detrimental to the historic character of the 700 block of Gildersleeve Street where it is located, she describes that character as including "*single family homes and several compounds all accessed by a single driveway.*" First, the Application, while stating the Applicants' intention to "*undertake improvements to [the Studio] to render it a fully functional dwelling unit*", it also states that "*[n]o modifications to the [R]esidence and [S]tudio are proposed with [the Application].*" But even if the Application did include modifications to the Residence and Studio, the HDRB does not have jurisdiction to determine whether a second dwelling unit is permitted on the Property; its jurisdiction generally is over publicly visible exterior modifications. In fact, a second dwelling unit is permitted by the underlying zoning. In addition, if and when the Studio is improved to make it a second dwelling unit, it and the Residence will be "*single-family homes...accessed by a single driveway*" consistent with how the Appellant has defined the historic character of the 700 block of Gildersleeve Street.

The Appellant's general claim does not fall within any of the three bases for appeal cited above and should be dismissed.

[4] Section 3-21-8 B. NMSA 1978 provides in pertinent part: "Any aggrieved person...affected by a decision of an administrative...commission or committee in the enforcement of Sections 3-21-1 through 3-21-14 NMSA 1978 or ordinance, resolution, rule or regulation adopted pursuant to these sections may appeal to the zoning authority. ..."

Claim 1. *The Applicants were not the owners of the Property at the time the Application was filed.*

Code §14-3.1(B)(1) provides in relevant part that applications for review and approval under Chapter 14 may be filed by the owner of the property that is the subject of the application or the owner's authorized agent with written authorization. The Application was submitted on behalf of the Applicants by JenkinsGavin Design & Development, Inc. (JGD&D) on October 17, 2012 and included the Applicants' October 8, 2012 written authorization designating JGD&D as their agent. The Application correctly listed the Estate of Jennifer A. Thompson as the owner and specifically noted at the bottom that the "*Applicant is under contract to purchase the [P]roperty.*" The Property was conveyed to the Applicants by deed dated November 2, 2012.

HDRB staff advised JGD&D at the time the Application was filed that the Applicants had to own the Property at the time the Application was heard by the HDRB, but consistent with City practice, accepted the Application on the understanding that the Applicants intended to purchase the Property.

In any event, JGD&D's failure to provide the prior owner's written authorization of agency at the time the Application was filed on October 17, 2012 was immaterial to the outcome and did not prejudice the Appellant[5]. The Applicants indisputably owned the Property at the time of the Hearing. If they had waited until November 2, 2012 to file the Application, the hearing on the Application would have occurred at a later date. There is no reason to suppose that the outcome would have differed. Nor does the failure result in any discernible prejudice to the Appellant.

Claim 1 does not fall within any of the three bases for appeal cited above and should be dismissed.

Claim 2. *The historic character of the Front Wall and the Side Wall has not been determined.*

Code §14-5.2(D)(1)(a) prohibits the removal of historic materials that embody a property's contributing status. Code §14-5.2(C)(5) authorizes the HDRB to grant an exception to Code §14-5.2 requirements. While the Applicants did not unequivocally know that the Front Wall and the Side Wall were historic, they assumed they were. As a result, they sought, and obtained, HDRB approval for an exception to permit the removal of historic materials necessary to carry out the Project. The Appellant's statements, to the extent they demonstrate that the Front Wall and the Side Wall are historic, merely support the Applicants' decision to seek an exception for any removal.

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[5] These kinds of mistakes are identified as "harmless error". New Mexico courts have held that failure to comply with a rule of Civil Procedure does not constitute reversible error unless prejudice is shown. *Jewell v. Seidenberg*, 82 N.M. 120, 124, 477 P.2d 296, 300 (1970), citing *Martinez v. Research Park, Inc.*, 75 N.M. 672, 410 P.2d 200 (1965). Harmless error is defined as "...an error which is trivial or formal or merely academic and...not prejudicial to the substantial rights of the party..., and in no way affected the final outcome of the case." *State v. Zamora*, 91 N.M. 470, 474, 575 P.2d 1355, 1359 (Ct. App. 1978), citing *State v. Johnson*, 1 Wash.App. 553, 463 P.2d 205, 206 (1969)

Claim 2 does not fall within any of the three bases for appeal cited above and should be dismissed.

Claim 3. *The Project will require the removal of two mature trees.*

The HDRB does not have jurisdiction over trees. Code §14-5.2 regulates generally new construction, alteration and demolition of structures in the historic districts and of landmark structures outside the historic districts. Code §12-1 defines a "structure" as "*[a]nything that is constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground...*" Trees are not "structures" and the HDRB does not have jurisdiction over their removal. That jurisdiction is vested in the Land Use Department Director by Code §14-8.4(F)(5)(c), which prohibits the removal of existing deciduous trees with a 6" or greater caliper without his approval. Pursuant to Code §14-8.4(B)(2)(b), that requirement applies to the Project. In addition, in an October 30, 2012 email to JGD&D, Robert Montoya, on behalf of the City's Traffic Engineering Division, indicated that the trees in the front of the Property would not have to be removed to improve sight distance. A copy of that email is attached as **Exhibit F**.

Claim 3 does not fall within any of the three bases for appeal cited above and should be dismissed.

Claim 4. *A prior HDRB approval required the then-owner to retain the white stucco as its historic color.*

It is difficult to understand the Appellants' intent in making this claim. The Applicants have not proposed changing the stucco color. The infill of the Front Wall at the existing driveway opening must be "in kind", that is, it will match the appearance of the existing structure in style and color. JGD&D acknowledged this requirement at the Hearing, saying with respect to the Front Wall that "*...they didn't know [the composition of the wall], but they would replace aesthetically in kind if they couldn't replace the composition in kind.*" The Side Wall will be removed in its entirety and the question of stucco color does not arrive.

Claim 4 does not fall within any of the three bases for appeal cited above and should be dismissed.

Claim 5. *It is difficult to determine whether an historic wire fence along the front and side of the house would be compromised.*

It appears that the Appellant is referring in this claim to what appears to be an historic wire fence (Fence) running along the front and the side of the property to the north of the Property. The Application does not affect the Fence. As a result, the Decision does not address the Fence.

Claim 5 does not fall within any of the three bases for appeal cited above and should be dismissed.

Claim 6. *The Application does not indicate whether the existing driveway, including the apron onto the street will be removed.*

This claim is not in reality a claim; instead, it is an expression of the Appellant's ideal: "*To enhance the view of the [P]roperty [from the street,] it would be ideal if the [HDRB] recommended removal of the coyote fence to conform to the historic character of the [P]roperty...*", as well as "*...removal of the [existing] driveway apron and repair of the sidewalk and curb adjacent to the street...*"

The site plan submitted with the Application shows the Property's street-side property line running just outside and parallel to the Front Wall. Generally, the Land Use Department and the City's Traffic Engineering Division regulate infrastructure improvements and alterations. JG&DD's statement at the Hearing that "*...the City required that they close the existing driveway so they would reclaim that...*" indicates that at construction permitting the Applicants will be required to close the existing driveway opening at the street by installing curb and to restore the planting strip between curb and sidewalk and sidewalk and Front Wall.

Claim 6 does not fall within any of the three bases for appeal cited above and should be dismissed.

Claim 7. *The notice of the Hearing posted on the Property gave the wrong location for the Hearing.*

A copy of the notice of the hearing posted on the Property is attached as **Exhibit G**. The location given for the Hearing is "*City Council Chambers at City Hall, 200 Lincoln Ave.*" Due to a scheduling conflict, the Hearing was moved to the Lamy Room at the Convention Center. Notices of the change in location were posted on the Lincoln Street and Marcy Street doors to City Hall and on the City Council Chambers doors. In addition, signs were posted at the Convention Center to direct attendees to the Lamy Room. Notice of the meeting location was therefore sufficient.

In any event, the Appellant had actual notice of the Hearing location, as she and others appeared and testified at the Hearing. "'*Actual notice' refers to information that was communicated directly to or received by a party.*" Pollock v. Ramirez, 117 N.M. 187 (Ct. App. 1994). "*Actual notice... is sufficient and dispenses with statutory notice.*" Acceptance Corp. of Sante Fe v. Valencia, 70 N.M. 307, 309 (1962). *See also*, Bennett v. City Council for City of Las Cruces, 1999-NMCA-015, 126 N.M. 619, 621 ("*Our Supreme Court has held that 'substantial compliance' with notice and publication is sufficient to satisfy statutory requirements. ...stating that while 'some courts have held that even a minor defect in notice will invalidate an action taken by the zoning authority, New Mexico does not take such a strict view...*'" (*citations omitted*).

The Appellant also claims that the notice period was "extremely short" and hampered the neighbors in preparing objections to the Project. However, the notice conformed to statutory and

Chapter 14 requirements and provided the same notice given for every other application to the HDRB.

Claim 7 does not fall within any of the three bases for appeal cited above and should be dismissed.

Conclusion

The Appellant has not effectively alleged that the Decision does not comply with applicable Code or the Statute; that the Code has been improperly applied; or is not supported by substantial evidence. As a result, the Appellant has failed to state a valid basis for appeal under Code §14-3.17(A)(2). The CAO recommends that the Appellant's appeal be dismissed.

Case #2012-15

LUD Use Only

Time Filed: 3 pm
Fee paid: $ 100
Receipt attached: ☑

(date stamp)
RECEIVED
DEC 20 2012
LAND USE DEPARTMENT

VERIFIED APPEAL PETITION

Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.

Appellant Information

Name: TALIAFERRO (Last) DIANE (First) M (M.I.)

Address: 716 GILDERSLEEVE STREET (Street Address) (Suite/Unit #)

SANTA FE, NM 87505 (City) (State) (ZIP Code)

Phone: (505) 983-8634 E-mail Address: LUKLA1@MSN.COM

Additional Appellant Names: SEE ATTACHED SHEET

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____

authorize _____ to act as my/our agent to execute this application.

Signed: _____ Date: _____

Signed: _____ Date: _____

Subject of Appeal

Project Name: _____

Applicant or Owner Name: BRIAN BLOUNT, JENKINS GAVIN, AGENT

Location of Subject Site: 719 GILDERSLEEVE STREET SANTA FE

Case Number: H-12-088 Permit Number (if applicable): _____

Final Action Appealed:

☐ Issuance of Building Permit ☐ Other Final Determination of LUD Director

Final Action of Board or Commission (specify): ☐ Planning Commission ☒ Board of Adjustment ☐ BCD-DRC ☒ HDRB

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

APPELLANTS ARE PROPERTY OWNERS AND RESIDENTS OF GILDERSLEEVE ST.

Basis for Appeal: ☒ The facts were incorrectly determined ☐ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

REMOVAL OF RETAINING WALL AND YARD WALL TO CONST
AND PARKING FOR ADDITIONAL UNITS

EXHIBIT tabbies A

☐ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

SEE ATTACHED

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific):

SE ATTACHED

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: Diane M Taliaferro Date: 12/18/2012

Agent Signature: N/A Date: N/A

State of New Mexico)
) ss.
County of Santa Fe)

I/We Diane M Taliaferro, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Petitioner/s:

Diane M Taliaferro
Signature

N/A
Signature

Diane Taliaferro
Print Name

N/A
Print Name

Subscribed and sworn to before me this 18th day of December, 2012.

OFFICIAL SEAL
Olivia Ortiz
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 07-06-13

Olivia Ortiz
NOTARY PUBLIC

My commission expires:
07-06-13

Diane Taliaferro
716 Gildersleeve St
Santa Fe, NM 87505
Appeal Case # H-12-088

Harm to the Neighborhood

Gildersleeve Street, as part of the Don Gaspar Historic District, is comprised of single family homes and several compounds, all accessed by a single driveway. The 700 block retains its original character; the appellants believe the proposed changes at 719 Gildersleeve will be detrimental to that character. We are also concerned that the current proposal is deliberately limited in scope to create access to further unspecified development on the property.

Basis for Appeal:

- Gavin-Stevens acting as agent of owner without knowledge of owner. According to Nov 13 telephone conversation with Geoffrey Thompson, as legal representative of the estate of Jennifer Thompson, the owner was not aware of the actions of buyer in reference to application to the HDRB until the date of closing, Nov 2. He stated that he signed a form at that time granting permission for this process because he was told that, though the property had closed, the deed would not be received for several days and the buyer wanted permission to bring his application to the board without waiting for the deed to be recorded. From the board's website, the schedule for the Nov 13 meeting required submission by Oct 17. Whether or not the contract for sale was contingent upon HRB approval, the owner of record had no knowledge of, nor did he approve Gavin-Stevens acting as 'agent' of the estate. On the agenda, Gavin Stevens was listed as agent for the estate of Jennifer Thompson. When this was pointed out to the members of the board, they seem to be unaware that the seller had not given permission for the firm to act as its agent.

- Determination of historic character of two property walls. The first wall in question is a retaining wall separating the front of the property from sidewalk on Gildersleeve Street, which was constructed in 1924. (Note the brass plaque embedded in the concrete in the middle of the street at the top of the 700 block) The adjacent property to the north has a similar retaining wall, topped by a historically significant wire fence. Mention was made in the Nov 13 meeting that the property line between these properties is the same wire. Because the walls follow the grade of the street, it may be argued that they are of the same time period. No sampling of the wall material was made. The use of aerial photos was reportedly inconclusive. A former resident of the block with many years' knowledge of the neighborhood has offered his testimony and has photographic evidence of a section of the retaining wall in question. The second wall is also historic at about 8 feet with a stone base as the foundation and stucco on top that

matches another wall dividing the properties. The driveway proposal will also compromise at least 2 mature trees that will have to be completely removed

- Prior Historic Board reviews of 719 Gildersleeve. The previous owner was not allowed to change the color of the stucco on the house or walls because it was deemed that the original white was indeed historic.

- No official survey, property corner determination or engineering report for the driveway. It is difficult at this time to determine whether the wire fence along the front and side of the house would be compromised, which in fact is historic as noted by the board in the meeting held on Nov. 13th.

- Original driveway location. There was no indication in the driveway proposal to rehab the original driveway or remove the concrete apron to the street. Due to the grade elevation of the current driveway this will be quite noticeable from the street despite the applicant's verbal assurances that an extension of the existing wall will be constructed across the driveway.

- View from the Street. To enhance the street view of the property it would be ideal if the board recommended removal of the coyote fence to conform to the historic character of the property. Also, removal of the driveway apron and repair of the sidewalk and curb adjacent to the street to conform to the 'one driveway per property' nature of the neighborhood. The representative from Jenkins Gavin informed us at the close of the Nov 13 meeting that there was no plan to remove any concrete from the existing drive. This was not part of the proposal; however it appears this could be an opportunity to work with the new owner to instill the goal of historic preservation.

- The original notification poster placed on the property gave the wrong meeting site and was not amended as were other posters on locations under review on Nov 13's meeting (612 Old Santa Fe Trail). This, and the extremely short notice gave the neighbors little time to prepare objections to the project. The applicant did not offer any information, verbally or in writing, (as was requested, because we were unavailable in person from Oct 29 through Nov 13). Gavin-Stevens' representative offered no information, nor did the architectural firm, which also preformed site visits prior to closing of the property on Nov 2.

Additional Appellants

Pamela Cersosimo
716 Gildersleeve

Marion Kassin
714 Gildersleeve

Martha Abernathy
718 Gildersleeve

Sloan Cunningham
907 Gildersleeve

We are totally opposed to the owners of 719 Gildersleeve Street adjacent to our property on 715 Gildersleeve Street putting a road and an additional house on the back of their property. This road would significantly change the historic character of the street. There is a reason that the drives are placed adjacent and there is a quiet space between each adjacent house. Adding a road on the north side of the 719 Gildersleeve house would eliminate this buffer quiet space and interfere significantly with the quiet enjoyment of our two homes at 715 Gildersleeve.

This is unacceptable.

We concur with the neighbors who oppose this variance.

We support every effort to stop the actions of the owners of 719 Gildersleeve Street.

Please let us know as soon as possible what the next steps are to make sure the road and additional house are not constructed.

Thank you.

Sincerely,

S. Barry Paisner and Charleen Touchette

Owners of 715 Gildersleeve Street

11/14/2012

I ATTEST THIS PICTURE WAS TAKEN OF ME WHEN I RESIDED AT 714 GILDERSLEEVE.

AS I REMEMBER THIS PICTURE WAS TAKEN OF ME SOMETIME IN THE MID-50's. MY FAMILY OWNED THE HOUSE @ 714 FROM 1943 UNTIL 2005. TO MY KNOWLEDGE, THE SAME WALL IN FRONT OF 719 GILDERSLEEVE WAS IN PLACE ALL OF THAT PERIOD.

Barbara R. Cushner

11/14/12 witness: Marika Abernathy



City of Santa Fe
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Santa Fe, NM 87504
(505)955-4333

12/20/2012 2:51:26 PM
Your cashier was LORRAINE
B002501112354 T89

Development Review
PAMELA CERSOSIMO

11001.431470	$100.00
Total	$100.00
Check 1645	$100.00
Change	$0.00

Thank you!

jenkinsgavin
DESIGN & DEVELOPMENT INC

Revised

October 17, 2012

John Murphey
Historic Preservation Division
City of Santa Fe
200 Lincoln Avenue
Santa Fe, NM 87501

RE: 719 Gildersleeve Street

Dear John:

This letter is submitted on behalf of Brian and Caryll Blount in application for an Exception for proposed modifications to existing yardwalls to accommodate a new driveway at the above named residence, for consideration by the Historic Districts Review Board on November 13, 2012. The ±0.146-acre tract is zoned R-21 and is located within the Don Gaspar Historic District. The proposed improvements are described below.

Existing Conditions

The property comprises an 1,800 square foot Contributing residence and attached studio built in the Pueblo Revival style. No modifications to the residence and studio are proposed with this application. The existing 2'6" high stucco yardwall along the street includes buttress elements on either side of the existing driveway at the south property boundary. Also existing adjacent to the north property line are a newer coyote fence and one additional rear wall barely visible from the street, and thus minimally impacting the building's façade.

Proposed Modifications

The current driveway provides only one off-street parking space. It is the applicant's intention to undertake improvements to the existing studio to render it a fully functional dwelling unit. Therefore, per SFCC §14-8.6-1, four parking spaces are required, two for each dwelling unit. To accomplish this, the applicant proposes to move the driveway to the north property boundary in order to access a proposed parking area with four parking spaces at the rear of the property.

The driveway and parking surfaces will be Santa Fe Brown gravel. Moving the driveway will entail filling in the wall at the current driveway and removing a portion of the wall at the north property boundary to allow for driveway access. This modification will create a mirror image of the current wall orientation, allowing the experience of the façade from the street to remain essentially unchanged. The additional rear wall will also have to be removed; as stated above,

130 GRANT AVENUE, SUITE 101 SANTA FE, NEW MEXICO 87501 PHONE: 505.820.7444 FACSIMILE: 505.820.

EXHIBIT
tabbies B

this will not substantially affect the building's façade. Furthermore, there will still be a substantial backyard directly behind the residence. (See attached site plan.)

Exception Request

We are requesting an Exception from the following Santa Fe City Code provisions to allow the removal of a portion of the front yardwall and replacement of the wall section currently serving the driveway.

SFCC §14-5.2(D)(1)(a) *The status of a significant, contributing, or landmark structure shall be retained and preserved. If a proposed alteration will cause a structure to lose its significant, contributing, or landmark status, the application shall be denied. The removal of historic materials or alteration of architectural features and spaces that embody the status shall be prohibited.*

SFCC §14-5.2(C)(1)(c)*Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a structure be preserved.*

Below are our responses to the approval criteria from SFCC §14-5.2(C)(5)(c).

(i) Do not damage the character of the streetscape;

Removing a portion of the front yardwall to allow for a driveway will not damage the character of the streetscape, as the wall will be subsequently replaced on the opposite side of the property where it now breaks for the existing driveway. The result will be a mirror image that will preserve the character of the historic façade. The additional back yard wall to be removed is minimally visible from the street and will not affect the streetscape.

(ii) Prevent a hardship to the applicant or an injury to the public welfare;

The property now provides for only one off-street parking space for two potential dwelling units. This creates a hardship for the residents, as on-street parking is at a premium on this densely populated street. In order for the applicant to obtain a permit to convert the existing studio to a fully functional dwelling unit, the property must be brought into compliance with Santa Fe City Code, which calls for two off-street parking spaces for each dwelling unit. Public welfare is served by adding off-street parking to minimize on-street parking in this dense neighborhood.

(iii) 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;

Providing the opportunity to move the driveway in order to access off-street parking ensures that residents of the property will be able to comfortably and safely park within

their historic district. Maintaining a desirable residential neighborhood entails ensuring adequate off-street parking.

(iv) Are due to special conditions and circumstances which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the related streetscape;

Several other residences in the related streetscape already have more than one off-street parking space in their side or back yards. The subject property has only one off-street parking space for two potential dwelling units.

(v) Are due to special conditions and circumstances which are not a result of the actions of the applicant;

The property is legal nonconforming in that it has only one off-street parking space when four will be required for the creation of an additional dwelling unit as described above. This is an existing condition that is not a result of the actions of the applicant.

(vi) Provide the least negative impact with respect to the purpose of this section as set forth in Subsection 14-5.2(A)(1).

Replacing one driveway with another, and replacing the wall to close the existing driveway, preserves the historical façade of the building and does not negatively impact the streetscape. The wall will be replaced in its current historic Pueblo Revival style.

The following documentation is submitted herewith for your review:

1. Preliminary Zoning Review Worksheet
2. HDRB Application
3. Owner Documentation
4. Letter of Authorization
5. Photographs of Existing Wall Elevations
6. Submittal Plans – one full size set and two reduced sets
7. Fees in the amount of $625.00 ($350 Exception; $250 construction; $25 poster)

Your consideration of this request is greatly appreciated. Please do not hesitate to contact us should you have any questions or need additional information. Thank you.

Sincerely,

JENKINSGAVIN DESIGN & DEVELOPMENT, INC.

Hillary Welles

Preliminary Zoning Review Worksheet

City of Santa Fe Land Use Department

To Be Completed By Applicant:	
Date Submitted: 10·16·12	Site Address: 719 Gildersleeve
Property Owner of Record: Estate of Jennifer A. Thompson	Proposed Construction Description: Relocate driveway- Modify yardwalls to accommodate driveway.
Applicant/Agent Name: Jenkins Gavin	
Contact Person Phone Number: ( )820 7444	TOTAL ROOF AREA:

NOTE: Preliminary zoning reviews are provided as a courtesy and are intended to address general zoning compliance issues. Applicants are advised to do an independent search of applicable zoning ordinances and to research documents related to property history which may affect permitting. Additionally, applicants are advised to contact appropriate City Staff with questions related to Terrain management, building, fire, water budget, Sangre de Cristo, wastewater, and other development codes which may affect permitting.

BASED ON INFORMATION PRESENTED ON APPLICATION DATE, THIS REVIEW DOES NOT GRANT ZONING APPROVAL AT THE TIME OF BUILDING PERMIT. FINAL ZONING APPROVAL WILL BE GRANTED ONCE ALL COMPLIANCE WITH ZONING HAS BEEN MET.

Hillary Welles for Jenkins Gavin / by F — 11/01/12

☐OWNER ☐APPLICANT ☒AGENT — DATE

Zoning District: R-21

Overlay:
- ☒ Historic Don Gaspar
- ☐ Arts and Crafts
- ☐ Escarpment*
- ☐ Flood Zone*
- ☐ Cerrillos Road Corridor
- ☐ Other: _____

Zoning Submittal Requirements:
- ☒ Legal Lot of Record ☐ Development Plan ☐ Building Plans
- ☒ Existing Site Plan ☒ Proposed Site Plan ☒ Elevations

Supplemental Zoning Submittals:
- ☐ Zero Lot Line Affidavit NA

Access and Visibility: ☐ Arterial or Collector*
- ☒ Visibility Triangle Required see below

Use of Structure:
- ☒ Residential
- ☐ Commercial Type of Use: _____

Terrain: ☐ 30% slopes NA

* Requires an additional review conducted by Technical Review or Traffic Engineering Division to ensure compliance.

Lot Coverage: 26 % No change
☐Open Space Required: _____

Setbacks: NA - No change
Proposed Front: ____ Minimum: ____
2nd Front? ____
Proposed Rear: ____ Minimum: ____
Proposed Sides: L ____ R ____ Minimum: ____

Height: Proposed _____ NA
Maximum Height: _____ or
☐ Regulated by Historic Districts Ordinance
☐ Regulated by Escarpment District

Parking Spaces:
Proposed 4 Accessible** ____
Minimum: 2

Bicycle Parking:**
Proposed: ____ Minimum: ____

** Commercial Requirement

To Be Completed By City Staff:

Additional Agency Review if Applicable:

☐ Escarpment Approval by _____ Date: __/__/__ > NA
☐ Flood Plain Approval by _____ Date: __/__/__
☒ Traffic Engineering Approval by _____ Date: 10/10/12 original approval attached.
Notes: _____

Zoning Approval:

☒ **Preliminary Approval ☐with conditions ☐ Rejected**

Comments/Conditions: _____

REVIEWER: _____ **DATE:** 11/01/12

Note: If approved, please stamp and initial each page of plan set.

Rev. 4-12

HISTORIC DISTRICTS REVIEW BOARD APPLICATION

PROJECT LOCATION: 719 Gildersleeve

HISTORIC DISTRICT: (from attached map) Downtown & Eastside [ ] Don Gaspar Area [✓] Westside-Guadalupe [ ] Historic Transition [ ] Historic Review [ ] Landmark (outside of historic districts) [ ]

PROJECT PROPOSAL: Modify existing yardwalls to accommodate a new driveway.

CONSTRUCTION COST: $ 50,000 **FEE:** $ 250 +$350 Exception +$25 Poster Cost = $ 625.00

OWNER: Estate of Jennifer A. Thompson **PHONE #:** 670-5002

*Applicant ~~OWNER~~ **ADDRESS:** Brian Blount & Caryll Blount, 1372 Santa Rosa Dr.

CITY, STATE, ZIP CODE: Santa Fe, NM 87505

Agent ~~**APPLICANT:**~~ Jenkins Gavin **PHONE #:** 820-7444

ADDRESS: 130 Grant Ave #101

CITY, STATE, ZIP CODE: Santa Fe, NM 87501

NEW CONSTRUCTION:
Single-Family Residence [ ] Commercial [ ] Multi-Family Residence [ ] one exception

OTHER CONSTRUCTION: cut in walls to create drive to rear;
Demolition [ ] Remodel [✓] Addition [ ] Residential [ ] Signs [ ]
Wall/Fence [ ] Antenna [ ]

PREAPPLICATION MEETING: Date: 09/21/12 Case Planner:

PRELIMINARY ZONING REVIEW: Date: 10/16/2012 Planner: Dan Esquibel
(You must schedule a meeting with Zoning Planner prior to the HDRB submittal deadline date. Worksheet will not be reviewed on the HDRB submittal deadline day/Preliminary Zoning Review Form must be submitted with proposal)

HEIGHT CALCULATION
Does the project include multi-story new construction, a building addition, and/or a wall or fence which will increase the height? YES [ ] NO [✓]
If yes, please provide a written request for an updated maximum allowable height calculation.
What is the proposed height of your project? _____

AFFIDAVIT TO AUTHORIZE AGENT (IF APPLICABLE)
I am,/We are the owner(s) and record title holder(s) of the property located at: _____

I/We authorize Please see attached letters of authorization. to act as my/our agent to execute this application.

Signed: _____ Date: _____

Signed: _____ Date: _____

I agree to post notice of the proposed project on the site fourteen (15) days prior to the Historic Districts Review Board hearing. I am aware that a decision of the HDRB may be appealed by any aggrieved party within fifteen (15) days of the adoption of Findings and Conclusions.

_____ 10.17.2012
Signature of Applicant/Owner Date

* Applicant is under contract to purchase the property.

Return to First American Title Insurance Company
File No. NM04-462142-SF01 DK

WARRANTY DEED

Marcia Weese, an unmarried woman, for consideration paid, grant(s) to Jennifer A. Thompson, ~~a single woman~~ * Married woman as her sole and separate property whose address is 719 Gildersleeve, Santa Fe, NM 87501, the following described real estate in Santa Fe County, New Mexico:

Lots 3 & 4, Block 10 of Buena Vista Addition, as shown on plat entitled "Plat of Survey for Michael L. Wineland...", filed in the office of the County Clerk, Santa Fe County, New Mexico, on June 28, 1994, in Plat Book 278, page 028, as Document No. 868,219.

Subject to patent reservations, restrictions, and easements of record and taxes for the year 2nd half 2004 and subsequent years.

with warranty covenants.

WITNESS my/our hand(s) and seal(s) this 12th day of November, 2004.

Marcia Weese

Individual Capacity

State of Illinois)
) §
County of Cook)

This instrument was acknowledged before me on the 12 day of November, 2004, by Marcia Weese.

Notary Public

My commission expires:
3-4-2007

"OFFICIAL SEAL"
GLORIA SAEZ
Notary Public, State of Illinois
My Commission Expires March 4, 2007

COUNTY CLERK
REBECCA BUSTAMANTE
SANTA FE COUNTY NEW MEXICO

STATE OF NEW MEXICO) ss
COUNTY OF SANTA FE)

WARRANTY DEED
PAGES: 1

I Hereby Certify That This Instrument Was Filed for Record On The 18TH Day Of November, A.D., 2004 at 15:22 And Was Duly Recorded as Instrument # 1355356 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Rebecca Bustamante
Deputy _____ County Clerk, Santa Fe, NM

SFC CLERK RECORDED 11/03/2004

STATE OF CA)
) ss.
COUNTY OF San Diego

I, Geoffrey Graeme Thompson, M.D., accept the duties of personal representative of the Estate of Jennifer A. Thompson, deceased, and do solemnly swear that I will perform, according to law, the duties of personal representative of the Estate.

5/31/11

Geoffrey Graeme Thompson, M.D.

Subscribed and sworn to before me this 31st day of May, 2011, by Geoffrey Graeme Thompson, M.D.

Notary Public

My Commission expires:
Oct 31/2014

OFFICIAL SEAL
RAMONA KHYROLOMOOR
NOTARY PUBLIC-CALIFORNIA
COMM. NO. 1906799
SAN DIEGO COUNTY
MY COMM. EXP. OCT. 31, 2014

ENDORSED
First Judicial District Court

JUN 13 2011

Santa Fe, Rio Arriba &
Los Alamos Counties
PO Box 2268
Santa Fe, NM 87504-2268

FIRST JUDICIAL DISTRICT COURT
COUNTY OF SANTA FE
STATE OF NEW MEXICO

No. D-0101-PB-2011-00112

IN THE MATTER OF THE ESTATE OF
JENNIFER A. THOMPSON, Deceased

LETTERS OF ADMINISTRATION AND ACCEPTANCE

This estate having been duly filed with this Court, Geoffrey Graeme Thompson, M.D. is hereby appointed to serve as personal representative of the estate.

DATED: 6.13., 2011

STEPHEN T. PACHECO,
COURT ADMINISTRATOR/CLERK

By: _____
Deputy

I hereby certify that the foregoing pleading is a true and correct copy of same which has been filed in my office on the 13 day of JUNE 2011
Dated this 13 date of JUNE 2011

By: _____

STEPHEN T. PACHECO
Court Administrator/District Court Clerk

STATE OF NEW MEXICO

CERTIFICATE OF DEATH

New Mexico Vital Records and Health Statistics
State of New Mexico
United States of America

DECEDENT'S LEGAL NAME		IF FEMALE, MAIDEN NAME	
<<<Jennifer Ann Thompson>>>		<<<>>>	
DATE OF DEATH	**TIME OF DEATH**	**SEX**	**SOCIAL SECURITY NUMBER**
April 18, 2011	07:35 AM ☐ PM ☒	Female	554-02-2038
MARITAL STATUS	**SURVIVING SPOUSE - If wife, maiden name**		
Divorced	<<<>>>		
DATE OF BIRTH	**BIRTH PLACE**	**SERVED IN U.S. ARMED FORCES**	
September 21, 1954	California	Yes ☐ No ☒	
DECEDENT'S RACE	**TRIBE**	**HISPANIC**	
White	<<<>>>	Yes ☐ No ☒	
DECEDENT'S RESIDENCE COUNTY	**DECEDENT'S RESIDENCE STATE**		
Santa Fe	New Mexico		
MOTHER'S FULL MAIDEN NAME	**FATHER'S FULL NAME**		
<<<Charlotte Lucille Ellis>>>	<<<Joseph Meacham Thompson>>>		

METHOD OF DISPOSITION
☐ Burial ☐ Donation ☐ Removal from State
☒ Cremation ☐ Entombment ☐ Other (Specify): <<<>>>

DISPOSITION LOCATION
Direct Funeral Services Crematory

FUNERAL SERVICE FACILITY	COUNTY OF DEATH
Direct Funeral Services	Santa Fe

PLACE OF DEATH	TYPE OF PLACE	NAME OF PERSON CERTIFYING CAUSE OF DEATH
719 Gildersleeve Street, Santa Fe, New Mexico 87505	Decedent's Residence	<<<Karin E. Thron MD>>>

MANNER OF DEATH ☒ Natural ☐ Accident ☐ Homicide ☐ Suicide ☐ Undetermined ☐ Pending Investigation

CAUSE OF DEATH

PART I. Events such as diseases, injuries, or complications that directly caused the death.

a. malignant metastatic breast cancer
b. <<<>>>
c. <<<>>>
d. <<<>>>

PART II. Other significant conditions contributing to death.

<<<>>>

File Number: 2011-004540
File Date: April 22, 2011
Order Number: 20110407290
2917472

Mary Anne Escudero, State Registrar

CERTIFIED COPY OF VITAL RECORD
This is a true and exact reproduction of all or part of the document officially registered and filed with the New Mexico Vital Records and Health Statistics, Public Health Division, Department of Health

Donna Dorsey
State Registrar

DATE ISSUED: Mar 25 2011

WARNING: IT IS ILLEGAL TO ALTER, COPY OR COUNTERFEIT THIS CERTIFICATE.
ADVERTENCIA: ES ILEGAL ALTERAR, COPIAR O FALSIFICAR ESTE CERTIFICADO.

This document is not authentic unless reproduced on safety paper displaying the Raised Seal of New Mexico
Hold at angle to view
The back of this document contains an artificial watermark

RECEIVED
NOV - 6 2012

Prepared By and Return To:
Fidelity National Title of New Mexico
8500 Menaul Blvd NE, Ste. B150
Albuquerque, NM 87112

GF# FT000114716-NM01

COUNTY OF SANTA FE }
STATE OF NEW MEXICO } ss

WARRANTY DEED
PAGES: 1

I Hereby Certify That This Instrument Was Filed for
Record On The 5TH Day Of November, A.D., 2012 at 03:34:23 PM
And Was Duly Recorded as Instrument # 1686776
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Valerie Espinoza
Deputy - COMONTOYA
County Clerk, Santa Fe, NM

COUNTY CLERK SANTA FE COUNTY NEW MEXICO

WARRANTY DEED
(Joint Tenants)

Geoffrey Graeme Thompson M.D. as Personal Representative of the Estate of Jennifer A. Thompson, deceased

for consideration paid, grant to

Brian Blount and Caryll Pearlman Blount , husband and wife

whose address is 1372 Santa Rosa Dive, Santa Fe, NM 87505

as joint tenants the following described real estate in County, New Mexico:

Lots 3 & 4, Block 10 of the Buena Vista Addition, as shown on "Plat of Survey for Michael L. Wineland...", filed on June 28, 1994 in Plat Book 278, page 028 as Document No. 868219, records of Santa Fe County, New Mexico.

with warranty covenants.

SUBJECT TO Patent, reservations, restrictions, and easements of record and to taxes for the year 2012, and subsequent years.

Witness my hand and seal this 2 day of November 2012

Geoffrey Graeme Thompson M.D., Personal Representative

STATE OF CA

COUNTY OF San Diego

This instrument was acknowledged before me Ramona Khyrolomoor, Notary Public
by Geoffrey Graeme Thompson

Ramona Khyrolomoor
Notary Public

My Commission Expires: Oct 31/2014

(SEAL)

OFFICIAL SEAL
RAMONA KHYROLOMOOR
NOTARY PUBLIC-CALIFORNIA
COMM. NO. 1906799
SAN DIEGO COUNTY
MY COMM. EXP. OCT. 31, 2014

Warranty Deed - Joint Tenants (4-99)
FDNM0025.rdw

PDF created with pdfFactory trial version www.pdffactory.com

October 8, 2012

RE: 719 Gildersleeve Street

To Whom It May Concern:

This letter shall serve as authorization for JenkinsGavin Design & Development, Inc. to act on my behalf with respect to the referenced property regarding land use applications to be submitted to the City of Santa Fe.

Please call should you have any questions or need additional information.

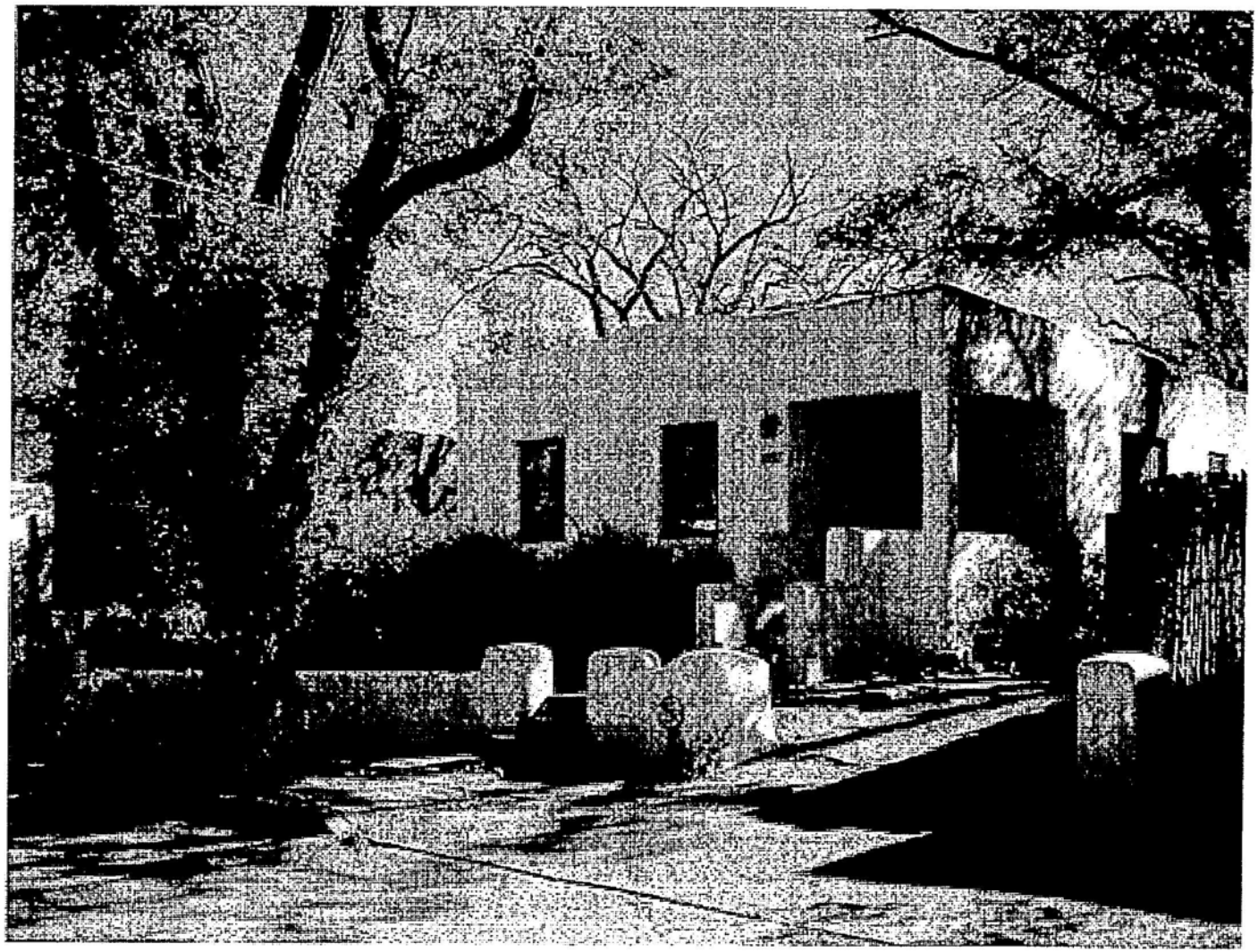
Thank you.

Sincerely,

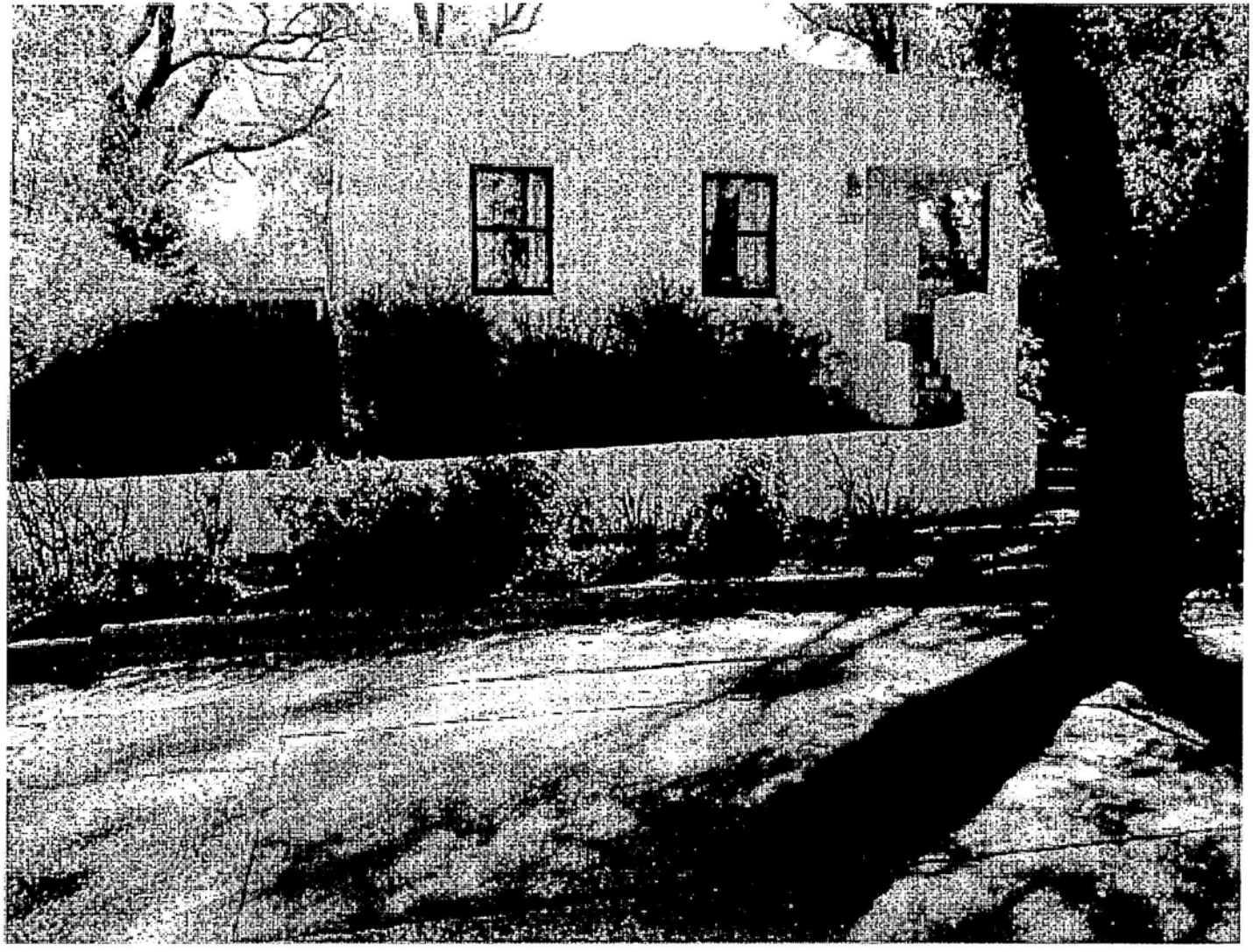
2D0E58C1A0344C1...
Brian Blount
DocuSigned By: Brian Blount

Brian Blount

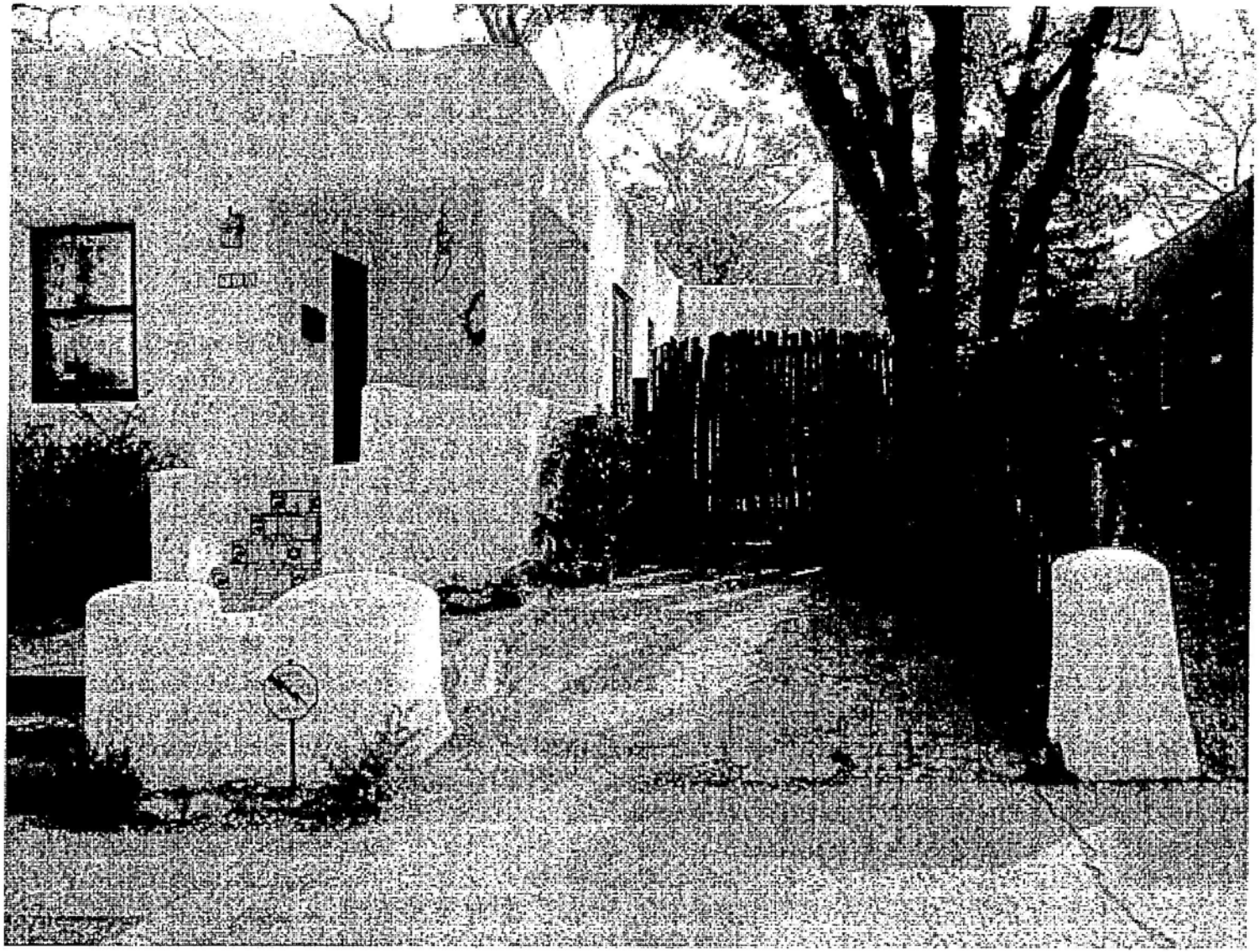
719 Gildersleeve Street



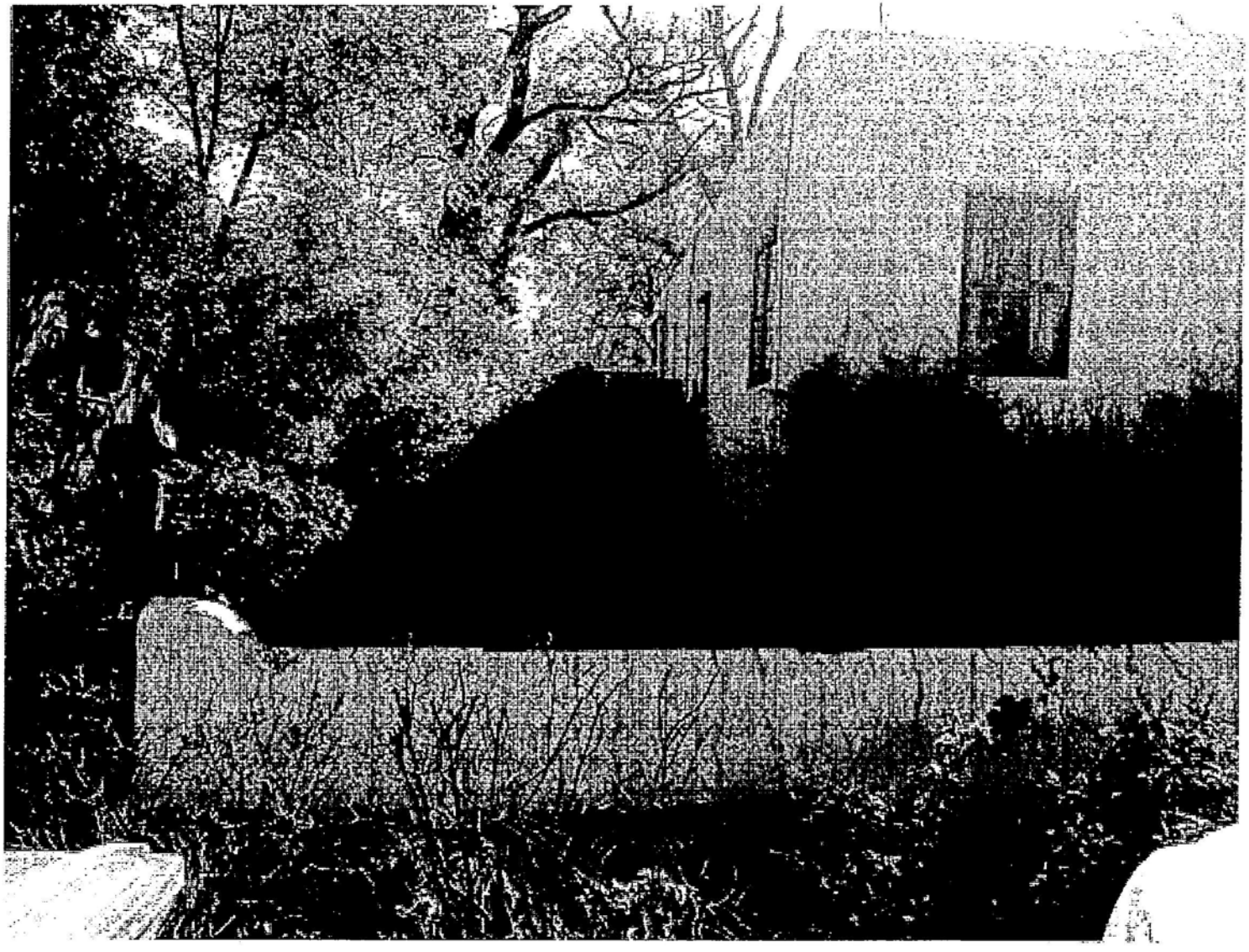
Context View



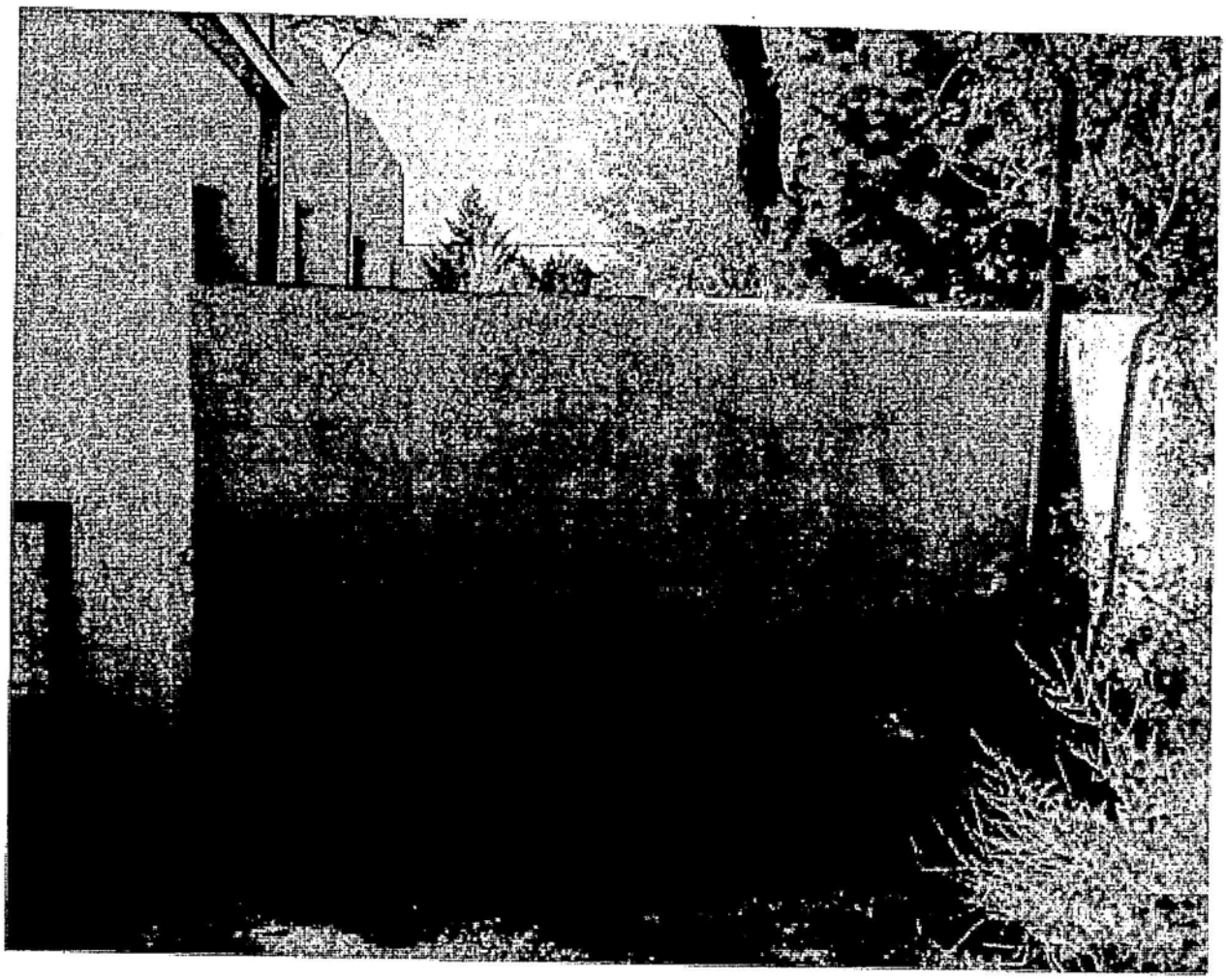
Front Elevation



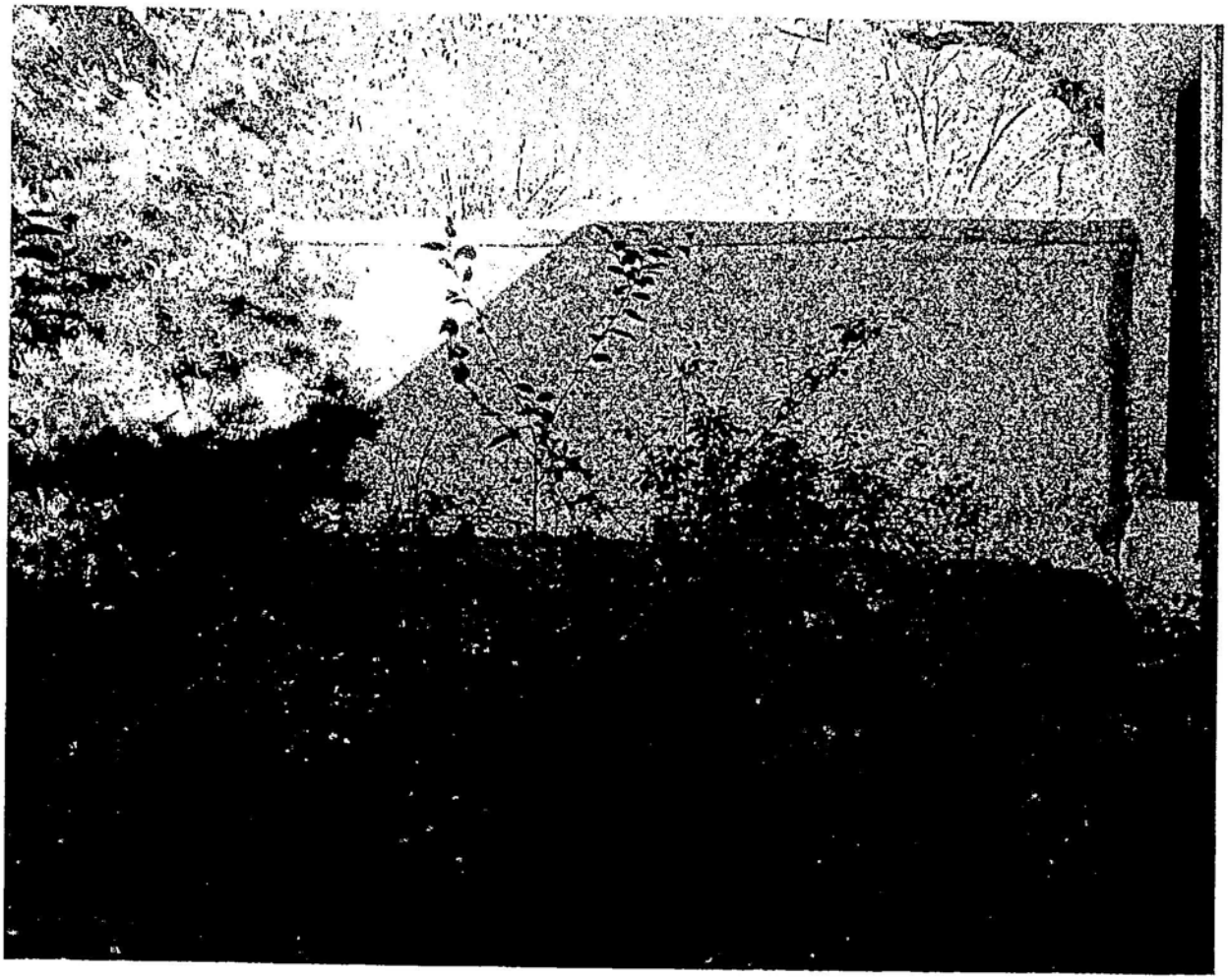
Southwest Front Elevation – Existing Driveway



Northwest Front Elevation – Location of Proposed Driveway

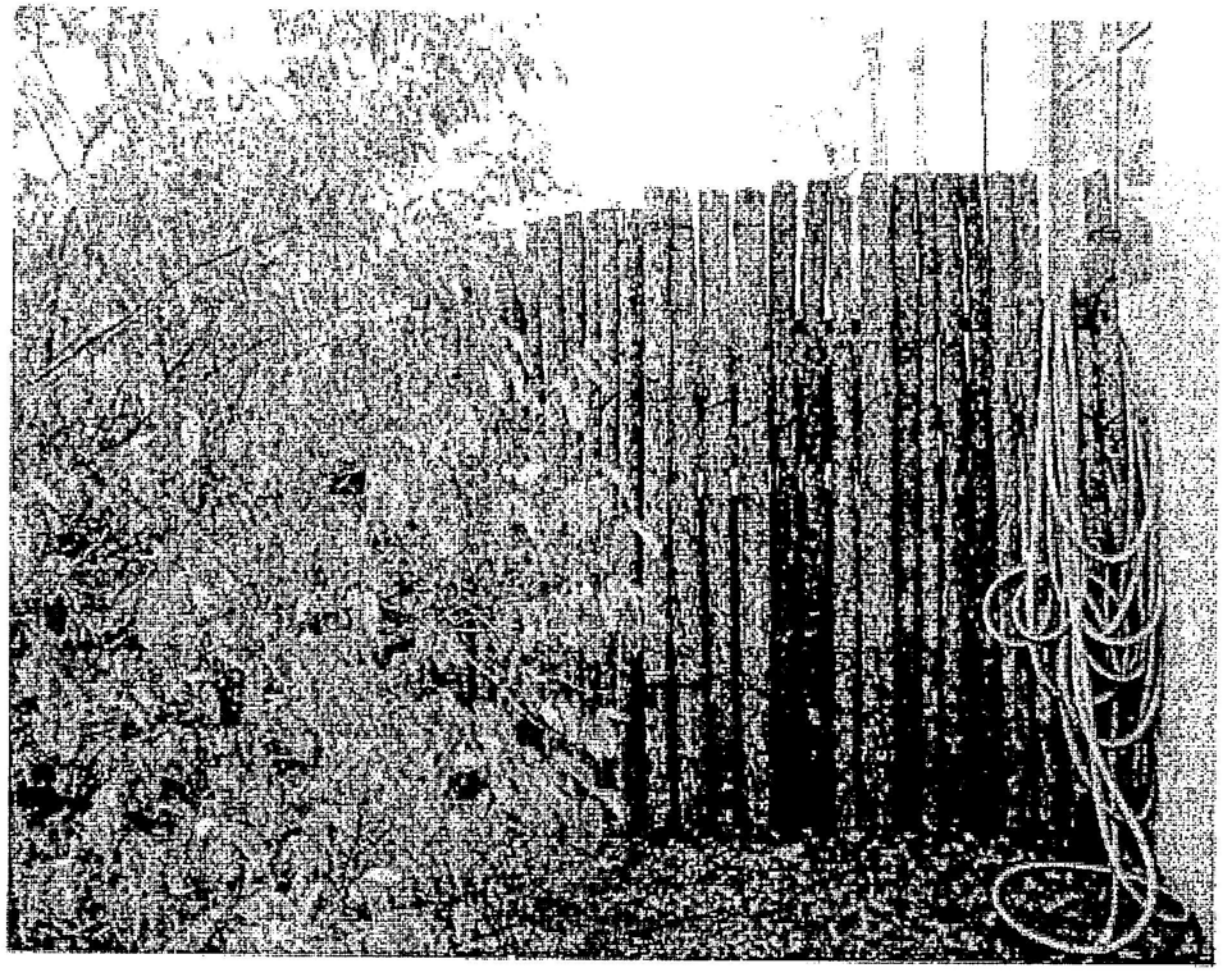


Stone/Stucco Wall
East Elevation (View From Backyard)
63"H x 11'W x 6"D

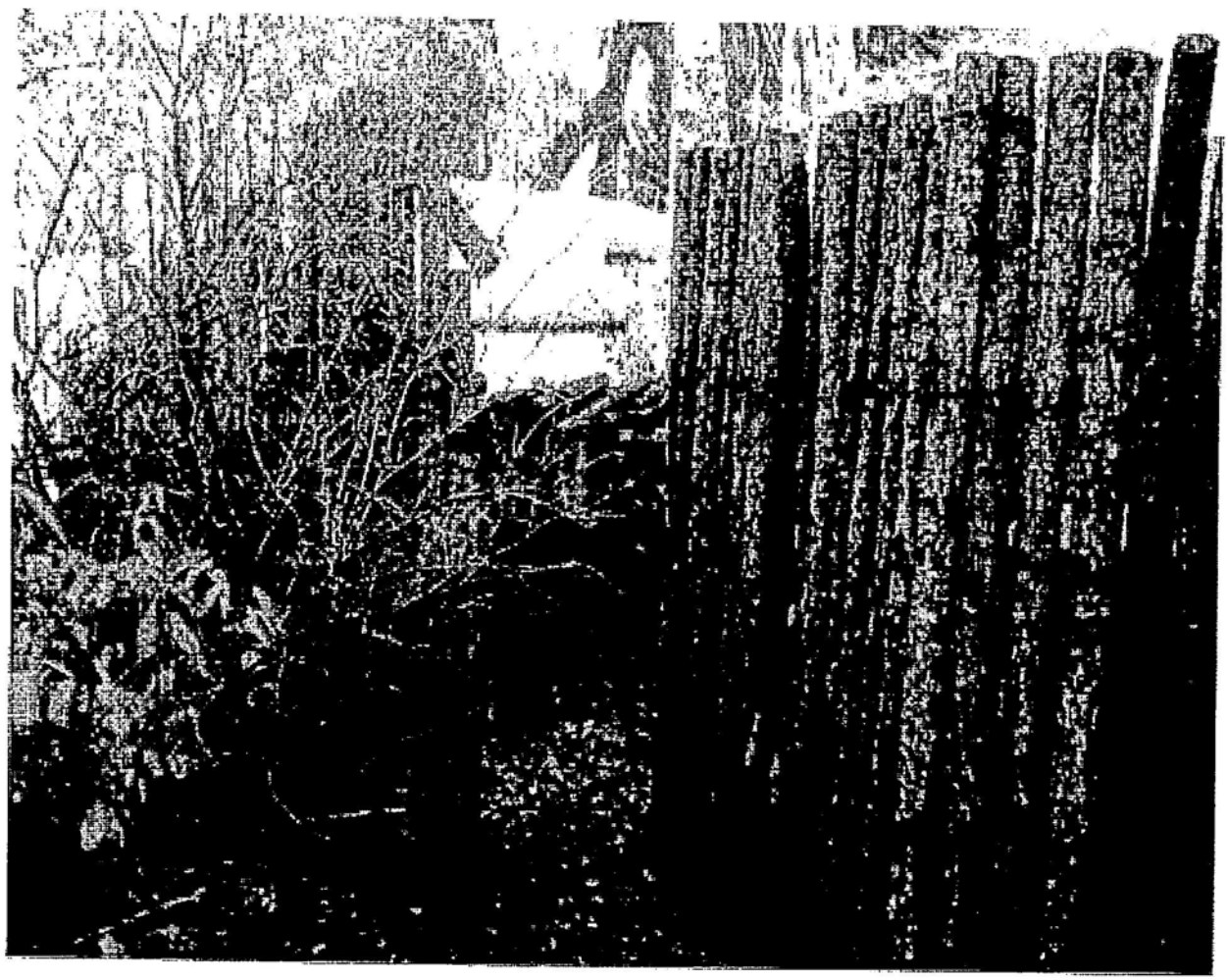


Stone/Stucco Wall
West Elevation (View from Front)
88"H x 11'W x 6"D

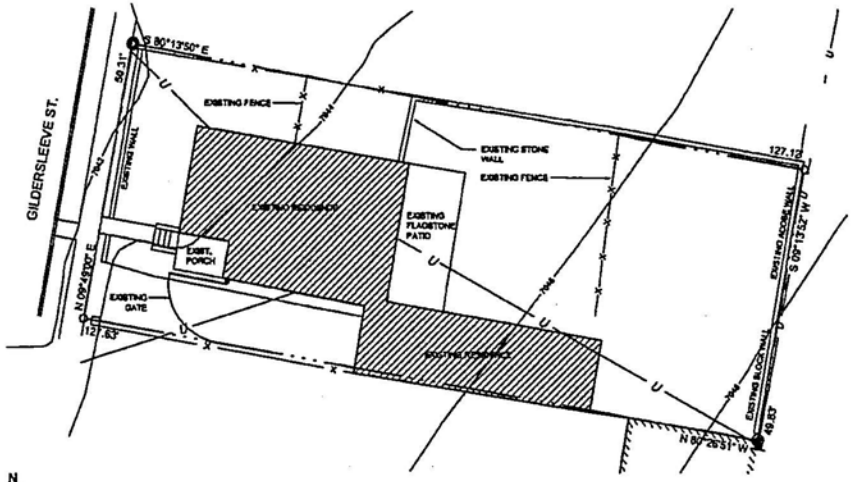
719 Gildersleeve Street
Additional Wall Photographs



Coyote Fence
69 ½"H x 11'W x 5"D
Photo #1



Coyote Fence
Photo #2

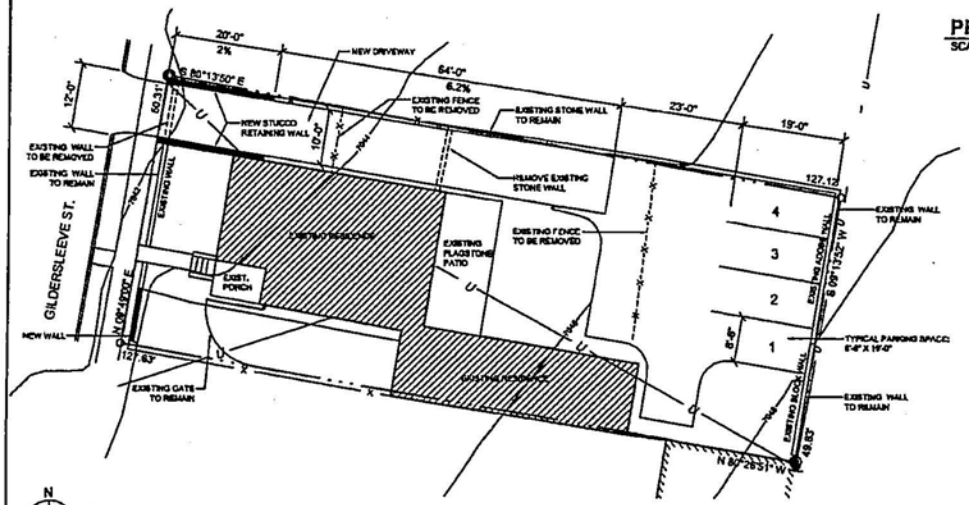


N

EXISTING SITE PLAN

SCALE: 1"= 10'-0"

NOTE: INFORMATION SHOWN HAS BEEN PROVIDED BY OTHERS.

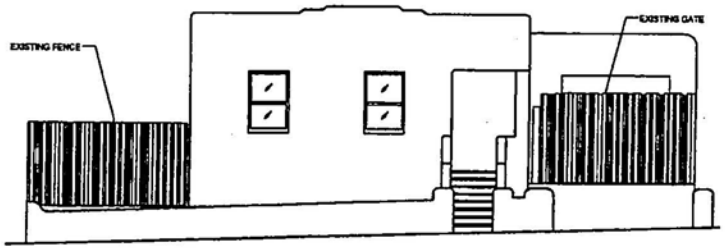


N

PROPOSED SITE PLAN

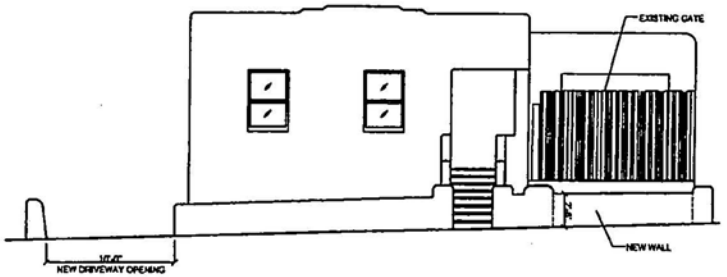
SCALE: 1"= 10'-0"

NOTE: INFORMATION SHOWN HAS BEEN PROVIDED BY OTHERS.



EXISTING WEST ELEVATION

SCALE: 1/4" = 1'-0"



PROPOSED WEST ELEVATION

SCALE: 1/4" = 1'-0"

BUILDING SQUARE FOOTAGE =	1,600 S.F.
TOTAL ROOFED AREA SQUARE FOOTAGE =	1,902 S.F.
LOT AREA =	6,377 S.F.
TOTAL LOT COVERAGE AREA =	25%

719 Gildersleeve Street
Santa Fe, New Mexico

REVISIONS:
NO. DATE

DATE:
10-15-2012
DRAWN BY:
PR
CHECKED BY:
PM

SHEET
A-1

City of Santa Fe, New Mexico

memo

DATE: November 13, 2012

TO: Historic Districts Review Board Members

FROM: John Murphey, Senior Planner, Historic Preservation Division
David Rasch, Supervisor Planner, Historic Preservation Division

---

CASE # H-12-088

Address: 719 Gildersleeve Street
Historic Status: Contributing
Historic District: Don Gaspar Area

REFERENCE ATTACHMENTS (sequentially):

CITY SUBMITTALS	APPLICANT SUBMITTALS
x Case Synopsis	x Proposal Letter
___ District Standards and Yard Wall and Fence Standards	___ Vicinity Map
x Historic Inventory Form	x Site Plan/Floor Plan
x Zoning Review Sheet	x Elevations
___ Other:	x Photographs
	x Other: Exception responses

STAFF RECOMMENDATION:

Staff recommends approval of this application, as it complies with Section 14-5.2 (D)(9), General Design Standards (Height, Pitch, Scale and Massing), and (H), Don Gaspar Area Historic District. Staff recommends the applicant has met the exception to remove historic material to provide additional off-street parking for a future second dwelling unit on under Section 14-5.2 (D)(1)(a).

EXHIBIT C

BACKGROUND AND SUMMARY:

Facing west and on a slight rise above the street, 719 Gildersleeve is a 1,800 sq. ft. rectangular plan, single-story dwelling with a long, linear post-1948 studio addition made to the original garage at the rear. (The current studio includes a bathroom but not a kitchen). The house's symmetrical pattern of windows is interrupted across the front façade by a cube-like inset porch. The dwelling's massing and rounded edge parapets place it in the Spanish-Pueblo Revival category. This motif additionally informs a low retaining wall trading the edge of the sidewalk. Constructed in c.1914, the house is contributing to the Don Gaspar Area Historic District.

Project

The applicant proposes to construct a new driveway along the north side of the house, thereby, replacing the existing driveway at the south end of the property.

The project will involve removing approximately 12' of the above-mentioned retaining wall at the north end and filling in the current driveway to the south with a wall of similar height and design. Essentially swapping one driveway cut for the other.

Work will include removing two additional structures along the north elevation of the house. These include a 69.5"-high recent coyote fence and an 88"-high stucco-clad stone wall farther to the east. Beyond, the driveway, paved with "Santa Fe Brown" gravel, will terminate at the east property wall with four parking spaces. In the front, low retaining walls will follow the 2% grade of the driveway.

Exception

Because the origins of the two walls are unknown, and their design and construction appear to be historic, the applicant has requested an exception to remove historic material under Section 14-5.2 (D)(1)(a).

Applicant responses:

(i) *Do not damage the character of the streetscape;*

Removing a portion of the front yardwall to allow for a driveway will not damage the character of the streetscape, as the wall will be subsequently replaced on the opposite side of the property where it now breaks for the existing driveway. The result will be a mirror image that will preserve the character of the historic façade. The additional back yard wall to be removed is minimally visible from the street and will not affect the streetscape.

Staff agrees with response.

(ii) *Prevent a hardship to the applicant or an injury to the public welfare;*

The property now provides for only one off-street parking space for two potential dwelling units. This creates a hardship for the residents, as on-street parking is at a premium on this densely populated street. In order for the applicant to obtain a permit to convert the existing studio to a fully functional dwelling unit, the property must be

brought into compliance with Santa Fe City Code, which calls for two off-street parking spaces for each dwelling unit. Public welfare is served by adding off-street parking to minimize on-street parking in this dense neighborhood.

Staff agrees with response. The current driveway is truncated by a coyote fence, reducing it to one paved parking space. The fence could be removed to provide an additional 27 linear feet of parking space to meet code for the existing dwelling unit. This configuration, however, would not provide sufficient off-street parking for a potential second unit.

(iii) 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;

Providing the opportunity to move the driveway in order to access off-street parking ensures that residents of the property will be able to comfortably and safely park within their historic district. Maintaining a desirable residential neighborhood entails ensuring adequate off-street parking.

Staff neither agrees nor disagrees with this response.

(iv) Are due to special conditions and circumstances which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the related streetscape;

Several other residences in the related streetscape already have more than one off-street parking space in their side or back yards. The subject property has only one off-street parking space for two potential dwelling units.

Staff neither agrees nor disagrees with this response.

(v) Are due to special conditions and circumstances which are not a result of the actions of the applicant;

The property is legal nonconforming in that it has only one off-street parking space when four will be required for the creation of an additional dwelling unit as described above. This is an existing condition that is not a result of the actions of the applicant.

Staff neither agrees nor disagrees with this response. The current coyote fence could be removed to re-establish the original driveway to the former garage and provide an additional parking space.

(vi) Provide the least negative impact with respect to the purpose of this section as set forth in Subsection 14-5.2 (A)(1).

Replacing one driveway with another, and replacing the wall to close the existing driveway, preserves the historical façade of the building and does not negatively impact the streetscape. The wall will be replaced in its current historic Pueblo Revival style.

Staff agrees with this response. If the purpose of the request is to provide additional spaces for a future second dwelling unit, this proposal provides the least negative impact, as per the goals set forth in Section 14-5.2 (A)(1).

NEW MEXICO HISTORIC BUILDING INVENTORY FORM

H2171

building threatened? yes	surveyed date 7-82 by E.T.	county Santa Fe	ID no. 051600
field map Don Gaspar Neighborhood	number 252	UTM reference zone 12 (13) easting	northing

location description: 719 Hildersleeve

city/town: Santa Fe

land grant/reservation:

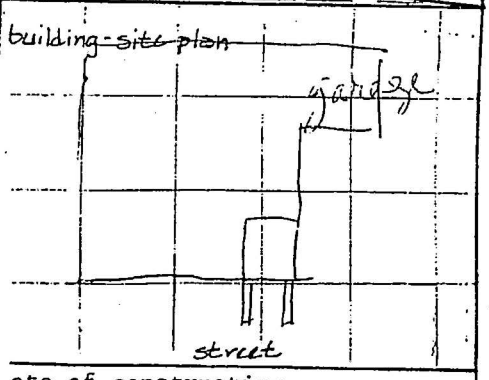
building name:

legal description: tnsp ___ N S range ___ E W sec ___ ¼ ¼

film roll by E.T. no. 9 | negative nos. 10 | loc. of neg. City of Santa Fe



building site plan



date of construction: 1930 estimated 1912-23 actual

source: City Directory Sanborn

use
present: (residential)
other:
historic: (residential)
other:

condition: ___excellent X good ___fair ___deteriorating

degree of remodeling: X minor ___moderate ___major
describe:

style: Pueblo Revival

foundation material: N/V

wall material/surface: stucco / concrete block

architectural features:
inset porch
Parapet
Wd d/B 1-1
walls along steps

surroundings: RLS

relationship to surroundings: X similar ___not similar

district potential: X yes ___no

significance: ___significant X contributing ___supporting ___intrusive

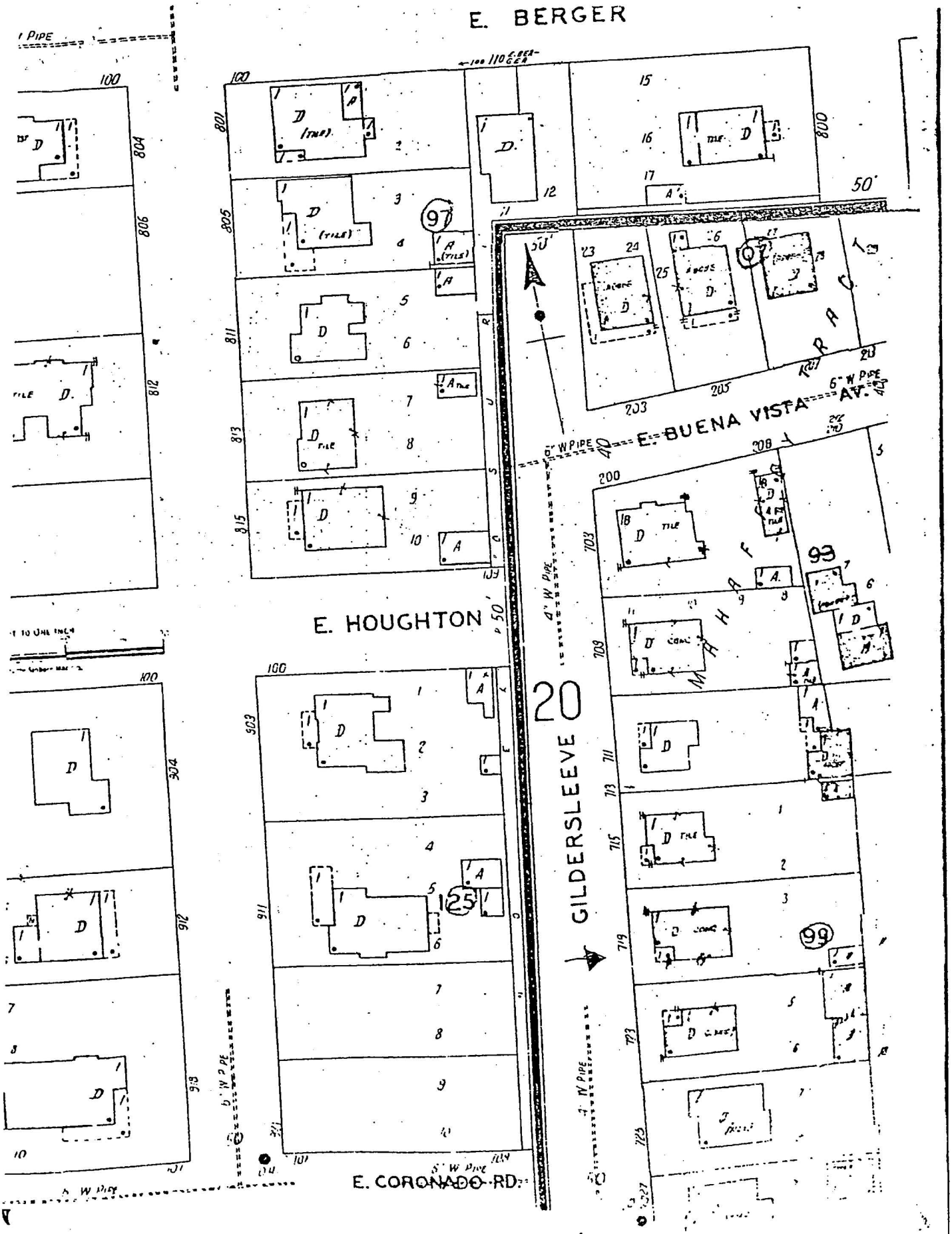
comments:
9' stucco wall

1926 cd - Martin CP; Harkins PM
1928 cd - vacant
PM 143 - [illegible]

associated buildings? ___yes
what type?

if inventoried, list ID nos.

see back? ___yes


E. BERGER
E. BUENA VISTA AV.
E. HOUGHTON
E. CORONADO RD.
GILDERSLEEVE
20
97
99
125
50'
100
200
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Preliminary Zoning Review Worksheet

City of Santa Fe Land Use Department

To Be Completed By Applicant:

Date Submitted: 10·16·12	Site Address: 719 Gildersleeve
Property Owner of Record: Estate of Jennifer A. Thompson	Proposed Construction Description: Relocate driveway- Modify yardwalls to accommodate driveway.
Applicant/Agent Name: Jenkins Gavin	
Contact Person Phone Number: ( )820 7444	TOTAL ROOF AREA:

NOTE: Preliminary zoning reviews are provided as a courtesy and are intended to address general zoning compliance issues. Applicants are advised to do an independent search of applicable zoning ordinances and to research documents related to property history which may affect permitting. Additionally, applicants are advised to contact appropriate City Staff with questions related to Terrain management, building, fire, water budget, Sangre de Cristo, wastewater, and other development codes which may affect permitting.

BASED ON INFORMATION PRESENTED ON APPLICATION DATE, THIS REVIEW DOES NOT GRANT ZONING APPROVAL AT THE TIME OF BUILDING PERMIT. FINAL ZONING APPROVAL WILL BE GRANTED ONCE ALL COMPLIANCE WITH ZONING HAS BEEN MET.

Hillary Welles for Jenkins Gavin / by F — 11/01/12

□OWNER □APPLICANT ☒AGENT — DATE

Zoning District: R-21

Overlay: ☒ Historic Don Gaspar
- □ Arts and Crafts
- □ Escarpment*
- □ Flood Zone*
- □ Cerrillos Road Corridor
- □ Other:

Zoning Submittal Requirements:
- ☒ Legal Lot of Record □ Development Plan □ Building Plans
- ☒ Existing Site Plan ☒ Proposed Site Plan ☒ Elevations

Supplemental Zoning Submittals:
- □ Zero Lot Line Affidavit NA

Access and Visibility: □ Arterial or Collector*
- ☒ Visibility Triangle Required see below

Use of Structure: ☒ Residential
- □ Commercial Type of Use:

Terrain: □ 30% slopes NA

Lot Coverage: 26 % No change
- □ Open Space Required:

Setbacks: NA - No change
- Proposed Front: ___ Minimum: ___
- 2nd Front? ___
- Proposed Rear: ___ Minimum: ___
- Proposed Sides: L ___ R ___ Minimum: ___

Height: Proposed ___ NA
- Maximum Height: ___ or
- □ Regulated by Historic Districts Ordinance
- □ Regulated by Escarpment District

Parking Spaces:
- Proposed 4 Accessible**: ___
- Minimum: 2

Bicycle Parking:**
- Proposed: ___ Minimum: ___

* Requires an additional review conducted by Technical Review or Traffic Engineering Division to ensure compliance. ** Commercial Requirement

To Be Completed By City Staff:

Additional Agency Review if Applicable:

- □ Escarpment Approval by ___ Date: ___/___/___ > NA
- □ Flood Plain Approval by ___ Date: ___/___/___
- ☒ Traffic Engineering Approval by ___ Date: 10/10/12 original approval attached.

Notes:

Zoning Approval:

☒ **Preliminary Approval** □ **with conditions** □ **Rejected**

Comments/Conditions:

REVIEWER: ___ **DATE:** 11/01/12

Note: If approved, please stamp and initial each page of plan set.

Rev. 4-12

City of Santa Fe

CITY CLERK'S OFFICE
DATE 11/7/12 TIME 3:45
SERVED BY
RECEIVED BY

Agenda

HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, November 13, 2012 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2nd FLOOR CITY HALL

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, November 13, 2012 at 5:30 P.M.

SANTA FE COMMUNITY CONVENTION CENTER

LAMY ROOM

AMENDED

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. APPROVAL OF MINUTES: October 23, 2012

E. COMMUNICATIONS

F. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-05-179	257, 259, 263, & 269 Las Colinas Drive formerly 200 Gonzales Road		
Case #H-10-012	Santa Fe River Parkway	Case #H-12-082	923 Acequia Madre
Case #H-09-012	526 Galisteo Street	Case #H-12-083	616 East Alameda, D
Case #H-12-079	556 E. Coronado Road	Case #H-12-078	545 Canyon Road
Case #H-12-080	1677 Cerro Gordo Road #9	Case #H-12-085	717 Dunlap Street

G. BUSINESS FROM THE FLOOR

H. ACTION ITEMS

1. Case #H-11-051. 250 E. Alameda. Downtown & Eastside Historic District. Duty & Germanas Architects, agent for El Castillo Retirement Residences, owners, proposes to amend a previous approval to construct a 5,370 sq. ft. addition on a non-contributing property and proposes additional remodeling. (REHEARING). (David Rasch).

2. Case #H-11-055. 1047 A Camino San Acacio. Downtown & Eastside Historic District. Richard Martinez, agent for Christopher Boghm, owner, proposes to demolish a 313 sq. ft. carport and construct 1, 372 sq. ft. of roofed additions to match existing height, 105 sq. ft. of portals, and a yardwall with pedestrian gate on a non-contributing property. (David Rasch).

3. Case #H-11-117. 621 Old Santa Fe Trail. Downtown & Eastside Historic District. Wayne Lloyd, agent for David Lamb, owner, proposes to amend a previous approval to remodel a non-contributing commercial building. (David Rasch).

4. Case #H-12-084. 447 Cerrillos Road, #6. Downtown & Eastside Historic District. Wyndham Carlisle, agent for Willow Howard, owner, proposes to alter window and door openings, stucco, and construct a 6'-high coyote fence at this contributing residence. (John Murphey).

EXHIBIT
tabbies
D

SS002 pmb-11/02

5. Case #H-12-086. 523 Calle Corvo. Downtown & Eastside Historic District. Edwin D. & Carolyn C. Jenkins, agent/owners, propose to remodel this non-contributing property, including the alteration of an existing yardwall with pedestrian gates and lowered height at the driveway. (David Rasch).

6. Case #H-12-087. 1299 Upper Canyon Road. Downtown & Eastside Historic District. Kenneth Francis & Sandra Donner, agents for Grant Hayunga, owner, propose to remove an existing addition, construct a 561 sq. ft. addition, replace windows, raise of a portion of the roof 9'-6" to 12'-0 where the maximum allowable height is 15'-0, and re-stucco this non-contributing house. (John Murphey).

7. Case #H-12-089. 613 W. San Francisco Street. Westside-Guadalupe Historic District. Martinez Architecture Studio, agent for Paul Petty, owner, requests an historic status review of this significant residential structure. (David Rasch).

8. Case #H-12-088. 719 Gildersleeve Street. Don Gaspar Area Historic District. Jenkins Gavin, agent for Estate of Jennifer A. Thompson, owner, proposes to remove a portion of an existing street retaining wall, a coyote fence and a separate yard wall to create a new driveway at this contributing residence. An exception is requested to remove historic material (Section 14-5.2 (D)(1)(a)). (John Murphey).

I. MATTERS FROM THE BOARD

J. ADJOURNMENT

Cases on this agenda may be postponed to a later date by the Historic Districts Review Board at the noticed meeting. Please contact the Historic Preservation Division at 955-6605 for more information regarding cases on this agenda.

Persons with disabilities in need of accommodation or an interpreter for the hearing impaired should contact the City Clerk's office at 955-6520 at least five (5) working days prior to the hearing date. Persons who wish to attend the Historic Districts Review Board Field Trip must notify the Historic Preservation Division by 9:00 am on the date of the Field Trip.

City of Santa Fe

Agenda

CITY CLERK'S OFFICE
DATE 10-25-12 TIME 11:00 am
SERVED BY Camille Lucero
RECEIVED BY F. Duty

HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, November 13, 2012 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2nd FLOOR CITY HALL

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, November 13, 2012 at 5:30 P.M.

SANTA FE COMMUNITY CONVENTION CENTER

LAMY ROOM

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B. ROLL CALL

C. APPROVAL OF AGENDA

D. APPROVAL OF MINUTES: October 23, 2012

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3. Case #H-11-089. 420 Arroyo Tenorio. Downtown & Eastside Historic District. Tim Curry/Design Solutions, agent for Andrew Beagle and Doug Key, owners, proposes to amend a previous approval to construct two gates by constructing a trellis to 11'8" high and partially infilling the yardwall opening. (David Rasch).

4. Case #H-11-117. 621 Old Santa Fe Trail. Downtown & Eastside Historic District. Wayne Lloyd, agent for David Lamb, owner, proposes to amend a previous approval to remodel a non-contributing commercial building. (David Rasch).

5. Case #H-12-077. 1148 Camino San Acacio. Downtown & Eastside Historic District. Greg and Kay Crouch, owners, propose to remove approximately 25' of stone retaining street wall and lower another section of the same wall to create two parking spaces in front of this noncontributing house. An exception is requested to remove historic material (Section 14-5.2 (D)(1)(a)). (John Murphey).

6. Case #H-12-084. 447 Cerrillos Road, #6. Downtown & Eastside Historic District. Wyndham Carlisle, agent for Willow Howard, owner, proposes to alter window and door openings, stucco, and construct a 6'-high coyote fence at this contributing residence. (John Murphey).

7. Case #H-11-086. 523 Calle Corvo. Downtown & Eastside Historic District. Edwin D. & Carolyn C. Jenkins, agent/owners, proposes to remodel this non-contributing property including the alteration of an existing yardwall with pedestrian gates and lowered height at the driveway. (David Rasch).

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10. Case #H-12-088. 719 Gildersleeve Street. Don Gaspar Area Historic District. Jenkins Gavin, agent for Estate of Jennifer A. Thompson, owner, proposes to remove a portion of an existing street wall, a coyote fence and a separate yard wall to create a new driveway at this contributing residence. An exception is requested to remove historic material (Section 14-5.2 (D)(1)(a)). (John Murphey).

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Mr. Katz was torn on this one. He also believed there was a real house under all that and would like to see it come out. The south as primary would make that much harder.

Vice Chair Rios disagreed. Even as a significant structure, an applicant could ask for exceptions. It might be more difficult but they also could prove certain things.

Mr. Rasch pointed out that the applicant could come forward to show improvements on the original dimensions that wouldn't need exceptions.

The motion passed by unanimous voice vote.

8. **Case #H-12-088. 719 Gildersleeve Street.** Don Gaspar Area Historic District. Jenkins Gavin, agent for Estate of Jennifer A. Thompson, owner, proposes to remove a portion of an existing street retaining wall, a coyote fence and a separate yard wall to create a new driveway at this contributing residence. An exception is requested to remove historic material (Section 14-5.2 (D)(1)(a)). (John Murphey)

Mr. Murphey presented the staff report for this case as follows:

BACKGROUND AND SUMMARY:

Facing west and on a slight rise above the street, 719 Gildersleeve is a 1,800 sq. ft., rectangular plan, single-story dwelling, with a long, linear post-1948 studio addition made to the original garage at the rear. (The current studio includes a bathroom but not a kitchen). Its symmetrical pattern is interrupted across the front façade by a deep inset porch at the southwest corner. The house's massing and rounded edge parapets place it in the Spanish-Pueblo Revival category. This motif additionally informs a low retaining wall tracing the edge of the sidewalk. Constructed in c.1914, it is contributing to the Don Gaspar Area Historic District.

Project

The applicant proposes to construct a new driveway along the north side of the house, thereby, replacing the existing driveway at the south end of the property.

The project will remove approximately 12' of the original retaining wall at the north, and blocking the current driveway with a wall of similar height and design.

Driveway preparation will include removing two structures along the north side of the house: a non-historic 69.5"-high coyote fence and an 88"-high stucco-clad stone wall of unknown origin.

Beyond these removed structures, the driveway will terminate at the east property wall with four parking spaces. In front, low retaining walls will follow the 2% slope of the grade. It will be paved with "Santa Fé Brown" gravel.

Exception

Because the origins of the two walls are unknown, and their design and construction appear to be historic, the applicant has requested an exception to remove historic material under Section 14-5.2 (D)(1)(a). Applicant and staff tried to find out but couldn't.

Applicant responses:

(I) Do not damage the character of the streetscape;

Removing a portion of the front yardwall to allow for a driveway will not damage the character of the streetscape, as the wall will be subsequently replaced on the opposite side of the property where it now breaks for the existing driveway. The result will be a mirror image that will preserve the character of the historic façade. The additional back yard wall to be removed is minimally visible from the street and will not affect the streetscape.

Staff agrees with response.

(ii) Prevent a hardship to the applicant or an injury to the public welfare;

The property now provides for only one off-street parking space for two potential dwelling units. This creates a hardship for the residents, as on-street parking is at a premium on this densely populated street. In order for the applicant to obtain a permit to convert the existing studio to a fully functional dwelling unit, the property must be brought into compliance with Santa Fé City Code, which calls for two off-street parking spaces for each dwelling unit. Public welfare is served by adding off-street parking to minimize on-street parking in this dense neighborhood.

Staff agrees with response. The current driveway is truncated by a coyote fence, reducing it to one paved parking space. The fence could be removed to provide an additional 27 linear feet of parking space to meet code for the existing dwelling unit. This configuration, however, would not provide sufficient off-street parking for a potential second unit.

(iii) 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;

Providing the opportunity to move the driveway in order to access off-street parking ensures that residents of the property will be able to comfortably and safely park within their historic district. Maintaining a desirable residential neighborhood entails ensuring adequate off-street parking.

Staff neither agrees nor disagrees with this response.

(iv) Are due to special conditions and circumstances which are peculiar to the land or structure involved and

which are not applicable to other lands or structures in the related streetscape;

Several other residences in the related streetscape already have more than one off-street parking space in their side or back yards. The subject property has only one off-street parking space for two potential dwelling units.

Staff neither agrees nor disagrees with this response.

(v) *Are due to special conditions and circumstances which are not a result of the actions of the applicant;*

The property is legal nonconforming in that it has only one off-street parking space when four will be required for the creation of an additional dwelling unit as described above. This is an existing condition that is not a result of the actions of the applicant.

Staff neither agrees nor disagrees with this response. The current coyote fence could be removed to re-establish the original driveway to the former garage and provide an additional parking space.

(vi) *Provide the least negative impact with respect to the purpose of this section as set forth in Subsection 14-5.2 (A)(1).*

Replacing one driveway with another, and replacing the wall to close the existing driveway, preserves the historical façade of the building and does not negatively impact the streetscape. The wall will be replaced in its current historic Pueblo Revival style.

Staff agrees with this response. As per the goals set forth in Section 14-5.2 (A)(1), this proposal provides the least negative impact to establish additional off-site parking.

STAFF RECOMMENDATION:

Staff recommends approval of this application, as it complies with Section 14-5.2 (D)(9), General Design Standards (Height, Pitch, Scale and Massing), and (H), Don Gaspar Area Historic District. Staff recommends the applicant has met the exception to remove historic material to provide additional off-street parking for a future second dwelling unit on the property, under Section 14-5.2 (D)(1)(a).

Vice Chair Rios asked if the existing driveway would remain.

Mr. Murphey said no - it would be filled in.

Ms. Walker said this motif additionally informs the retaining wall.

Mr. Acton asked what they proposed to the north of the new driveway.

Mr. Murphey said parallel retaining walls that were following grade.

Mr. Acton asked if it was a fence along the neighbor's property.

Mr. Murphey asked him to ask the applicant.

Ms. Mather concluded that the higher fence would be removed but the older would remain.

Present and sworn was Ms. Jennifer Jenkins, 130 Grant Avenue, who said the addition to the back was a little studio and had been used as a rented dwelling by previous owners but it had no functional kitchen. So the intent was to make it function as dwelling unit and that meant adequate parking was needed at 2 per dwelling unit. So this would provide for a nice dwelling. They would abandon the existing driveway for one on the north and replicate the wall as a mirror image.

Their hope was that once the work was done it would be sensitive to the character of the house. They would bring it up to code and convert the studio to a dwelling unit. There was not adequate off-street parking there on that street.

Vice Chair Rios asked for the height of the existing wall.

Ms. Jenkins said it was 2 feet.

Vice Chair Rios what its composition was.

Ms. Jenkins said they didn't know but they would replace aesthetically in kind if they couldn't replace the composition in kind.

Mr. Katz thought on the west elevation it would be better to have a gate like on the other side. He asked if that was a possibility.

Ms. Jenkins asked if he meant a vehicle gate to mirror the coyote fence.

Vice Chair Rios pointed out that neighborhood didn't use a lot of coyote in the past.

Ms. Jenkins said the coyote was really not visible from the street so it would have minimal impact on the streetscape.

Vice Chair Rios said that wall was very low.

Ms. Jenkins agreed. The other one was set back as far as the porch.

Mr. Acton asked if as a person came up the driveway there would be a stucco retaining wall on the left side.

Ms. Jenkins said it would be on both sides and as they approach the house they would use the house as retaining there.

Mr. Acton asked if it was not coyote on the north.

Ms. Jenkins agreed. If that fence was on this property they could remove it but wanted to make sure first.

Mr. Acton felt that was a stellar example of a well maintained woven wire fence.

Ms. Jenkins said the wall wouldn't function as a yard wall - just retaining.

Vice Chair Rios asked if they were disturbing the grade when opening that driveway.

Ms. Jenkins agreed. They were bringing it up to its natural grade and they had to hold up the sides on either side. The driveway would be brown gravel.

Ms. Mather asked if the tree would be retained.

Ms. Jenkins thought so.

Ms. Walker said if they had a gate it should be fenestrated.

PUBLIC COMMENT

Present and sworn was Ms. Marian Tosan, 714 Gildersleeve, who asked if Jenkins/Gavin was representing the estate of Jennifer A. Thompson as stated on the agenda.

Ms. Jenkins explained that when they submitted the application the property was under contract and has since closed so they represented the owner of record.

Ms. Tosan said she was not sure who they were representing because her statement was not the same as was on the agenda.

Vice Chair Rios thought Ms. Jenkins adequately explained who she was representing.

Ms. Tosan said this was a conflict for her because she loved that wall. The existing driveway was similar to hers. The idea of building it on the north side prompted her to ask why. She thought it was in direct conflict with preserving property. She didn't see how it contributed to historic quality of this property. The back was fairly large so she asked if it would be further subdivided and if that would improve this neighborhood. She didn't see how it could. She was very proud of having the Board give her permission to restore her home but it really disturbed her to think the owners would bastardize this property.

Vice Chair Rios asked if Ms. Jenkins would like to respond.

Ms. Jenkins agreed that the existing driveway could have two cars there but the intent in rehabilitation of the property was primarily interior work and part of it was to make that studio function as a dwelling unit and that couldn't happen unless they complied with the city code on parking. They received their driveway permit and it had met visibility standards and the City required that they close the existing driveway so they would reclaim that. Their plan would provide side by side parking in the back so it was not visible and supported the rehabilitation as it moved forward.

Present and sworn was Ms. Diane Taliaferro, 716 Gildersleeve directly across from this property. She had lived there six years and loved it and her neighbors. She had put a lot of time and energy into her house and worked with the Board on some of it. She was struggling a little to understand why they needed to put in another driveway. This particular part of Gildersleeve was one way and they have one driveway in each to accommodate 2-3 people. She was disappointed that they were talking about turning this into two houses. There were people who lived there full time and also rental units.

This house today was a house that had a garage that was converted at some time as a work space. She didn't know that it was ever rented out so some work was needed. The current driveway had room for two spaces. And the ordinance did require two per dwelling and there were rentals on the street that didn't have two per residence.

She had concerns over placement of the new driveway in that location. It was a steep grade and the wall was historic and had another stone wall in back leading into the back yard. It would require removal of two large trees. A lot of trees there in the neighborhood had already been cut down. Trees helped with watering issues and providing shade for dwellings need less air conditioning.

She and Ms. Tosan were neighbors and had driveways side by side. You have to be careful when pulling out because cars were on the street and lots of pedestrians including kids going to school. The back yard was big and you could probably park ten cars back there. There was not a lot of clearance there on the north side. Gildersleeve had also become the way to get kids to school in the mornings and the route the city uses to work on the Old Santa Fé Trail.

Another problem was that this was where they had to put their garbage and recycle containers for pickup. Two more of them would have to be put on the east side of the street so it would cram a lot of them in together and take away from parking on the street.

She said she was not clear on the ordinance if they all have to have two parking spaces each. She didn't see where it would be. She added that the next door neighbor was unaware of this meeting and not informed of this change. It came up pretty quickly but she had to wait a couple of months before she could meet with the Board.

She said she really cared about the historic neighborhoods and was on Historic Preservation board in Montana and hoped the Board members had looked at this project. She felt she had worked hard to make her

home one she could be proud of.

There were no other speakers from the public regarding this case.

Ms. Mather thought the applicant really answered a lot of questions the neighbors brought up. The ordinance did require two spaces per dwelling. She had a concern as a board member that there seemed to be some tension about this application and hoped they could get together and be neighbors. That was most important in historic neighborhoods. She hoped the tension could be dissipated in the course of the evening.

Mr. Katz understood the concern of the neighbors about having more units here. But that was not really the Board's purview. He got concerned when the regular parties came here not for historic preservation but used for another purpose to prevent someone from developing their lot. The Board needed to focus on the design factors and the parking rule should be dealt with elsewhere.

Ms. Mather moved to approve Case #H-12-088 per staff's recommendation and citing that the applicant met the exceptions. Mr. Acton seconded the motion and it passed by majority (4-1) voice vote with Dr. Kantner opposed.

I. MATTERS FROM THE BOARD

There were no matters from the Board.

J. ADJOURNMENT

Ms. Walker moved to adjourn the meeting Mr. Acton seconded the motion and it passed by unanimous voice vote.

The meeting was adjourned at 8:05 p.m.

Approved by:

_____

Sharon Woods, Chair

Submitted by:

Carl Boaz, Stenographer

ITEM # 12-102

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

Case # H-12-088
Address – 719 Gildersleeve Street
Owner/Applicant's Name – Brian Blount
Agent's Name – Jenkins Gavin

THIS MATTER came before the Historic Districts Review Board (Board) for hearing on November 13, 2012, upon the application (Application) of Jenkins Gavin, agent for Brian Blount, owner.

Facing west and on a slight rise above the street, 719 Gildersleeve is a 1,800 sq. ft., rectangular plan, single-story dwelling, with a long, linear post-1948 studio addition made to the original garage at the rear. (The current studio includes a bathroom but not a kitchen). Its symmetrical pattern is interrupted across the front façade by a deep inset porch at the southwest corner. The house's massing and rounded edge parapets place it in the Spanish-Pueblo Revival category. This motif additionally informs a low retaining wall tracing the edge of the sidewalk. Constructed in c.1914, it is contributing to the Don Gaspar Area Historic District.

The applicant requested a remodeling project (Project) to remove a portion of an existing street retaining wall, a coyote fence and a separate yard wall to create a new driveway at this contributing residence. An exception was requested to remove historic material (Section 14-5.2 (D)(1)(a)).

After conducting public hearings and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:

FINDINGS OF FACT

1. Board heard testimony from Board staff, Applicant and members of the public.
2. Zoning staff has determined the Application meets underlying zoning standards.
3. Board staff presented the case.
4. Board staff recommended approval of the application, as it complied with Section 14-5.2 (D)(9), General Design Standards (Height, Pitch, Scale and Massing), and (H), Don Gaspar Area Historic District.
5. Board staff recommended the applicant had met the exception to remove historic material under Section 14-5.2 (D)(1)(a).
6. Members of the public were sworn in and commented on the project.
7. Board responded to public comments.
8. Board concurred with staff recommendation and found the proposed project complied with applicable design standards.
9. Board additionally concurred that the applicant had met the exception to remove historic material.

EXHIBIT tabbies E

10. Property is located in the Don Gaspar Area Historic District and is subject to the requirements of the following sections of the Santa Fe Land Development Code: Section 14-5.2 (H) Don Gaspar Area Historic District.
11. Under Sections 14-5.2(A)(1)(b) and (c), 14-2.7(A)(1), and 14-2.7(A)(3), the Board has the 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.
12. Under 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 exhibits, satisfactory to the Board, have been submitted.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board acted upon the Application as follows:

The Board concludes the project complies with Section 14-5.2 (D)(9), General Design Standards (Height, Pitch, Scale and Massing), and (H), the Don Gaspar Area Historic District. The Board additionally concludes the applicant has met the exception to remove historic material under Section 14-5.2 (D)(1)(a).

IT IS SO ORDERED ON THIS 11th DAY OF DECEMEBER 2012 THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Sharon Woods
Chair

Date: 12/11/12

FILED

Yolanda Y. Vigil
City Clerk

Date: 12.20.12

APPROVED AS TO FORM

Kelley Brennan
Assistant City Attorney

Date: 12/11/12

BAER, TAMARA

From: BAER, TAMARA
Sent: Tuesday, October 30, 2012 12:06 PM
To: MONTOYA, ROBERT B.
Cc: ROMERO, JOHN J
Subject: RE: 719 Gildersleeve

Thank you so much for helping to save a tree!

Tamara Baer, ASLA
Manager, Current Planning Division
Land Use Department
City of Santa Fe
505-955-6580
tbaer@santafenm.gov

-----Original Message-----
From: MONTOYA, ROBERT B.
Sent: Tuesday, October 30, 2012 10:58 AM
To: 'Hillary Welles'; BAER, TAMARA
Cc: ROMERO, JOHN J
Subject: 719 Gildersleeve

Good Morning,

After a re-evaluation of the proposed driveway for 719 Gildersleeve the Traffic Engineering Division will not require the removal of the in front of the property to improve sight distance.

Because there is parking allowed on the street, this pushes the driving lane 8 feet back. When re-measured, the tree is outside of the sight triangle specified in City of Santa Fe Code 14.7.1(F):

"Measurements of fifteen (15) fee back from the nearest travel lane along the edge of the driveway and thirty (30) feet along the travel lane"

Please let me know if you have any questions.

Thank you,
Robert Montoya




711 Aldersleeve
NOTICE
OF PUBLIC HEARING
HISTORIC DISTRICTS REVIEW BOARD
Construction
NOT TO BE POSTED ON CITY RIGHT-OF-WAY OR UTILITY POLES
14-12-0825
POST 15 DAYS PRIOR TO MEETING
EXHIBIT
10/31/2012

Case #2012-152

LUD Use Only

Time Filed: 3 pm
Fee paid: $ 100
Receipt attached: ☑

RECEIVED (date stamp)
DEC 20 2012
LAND USE DEPARTMENT

VERIFIED APPEAL

PETITION

Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.

Appellant Information

Name: TALIAFERRO (Last) DIANE (First) M (M.I.)

Address: 716 GILDERSLEEVE STREET (Street Address) (Suite/Unit #)

SANTA FE, NM 87505 (City) (State) (ZIP Code)

Phone: (505) 983-8634 E-mail Address: LUKLA1@MSN.COM

Additional Appellant Names: SEE ATTACHED SHEET

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____

authorize _____ to act as my/our agent to execute this application.

Signed: _____ Date: _____

Signed: _____ Date: _____

Subject of Appeal

Project Name: _____

Applicant or Owner Name: BRIAN BLOUNT, JENKINS GAVIN, AGENT

Location of Subject Site: 719 GILDERSLEEVE STREET SANTA FE

Case Number: H-12-088 Permit Number (if applicable): _____

Final Action Appealed:

☐ Issuance of Building Permit ☐ Other Final Determination of LUD Director

Final Action of Board or Commission (specify): ☐ Planning Commission ☒ Board of Adjustment ☐ BCD-DRC ☒ HDRB

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

APPELLANTS ARE PROPERTY OWNERS AND RESIDENTS OF GILDERSLEEVE ST.

Basis for Appeal: ☒ The facts were incorrectly determined ☐ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

REMOVAL OF RETAINING WALL AND YARD WALL TO CONSTRUCT DRIVEWAY. AND PARKING FOR ADDITIONAL UNITS

☐ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

SEE ATTACHED

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific):

SE ATTACHED

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: Diane M Taliaferro Date: 12/18/2012

Agent Signature: N/A Date: N/A

State of New Mexico)
) ss.
County of Santa Fe)

I/We Diane M Taliaferro, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Petitioner/s:

Diane M Taliaferro — *Signature*

N/A — *Signature*

Diane Taliaferro — *Print Name*

N/A — *Print Name*

Subscribed and sworn to before me this 18th day of December, 2012.

OFFICIAL SEAL
Olivia Ortiz
NOTARY PUBLIC
STATE OF NEW MEXICO

Olivia Ortiz
NOTARY PUBLIC

My commission expires:

Diane Taliaferro
716 Gildersleeve St
Santa Fe, NM 87505
Appeal Case # H-12-088

Harm to the Neighborhood

Gildersleeve Street, as part of the Don Gaspar Historic District, is comprised of single family homes and several compounds, all accessed by a single driveway. The 700 block retains its original character; the appellants believe the proposed changes at 719 Gildersleeve will be detrimental to that character. We are also concerned that the current proposal is deliberately limited in scope to create access to further unspecified development on the property.

Basis for Appeal:

- Gavin-Stevens acting as agent of owner without knowledge of owner. According to Nov 13 telephone conversation with Geoffrey Thompson, as legal representative of the estate of Jennifer Thompson, the owner was not aware of the actions of buyer in reference to application to the HDRB until the date of closing, Nov 2. He stated that he signed a form at that time granting permission for this process because he was told that, though the property had closed, the deed would not be received for several days and the buyer wanted permission to bring his application to the board without waiting for the deed to be recorded. From the board's website, the schedule for the Nov 13 meeting required submission by Oct 17. Whether or not the contract for sale was contingent upon HRB approval, the owner of record had no knowledge of, nor did he approve Gavin-Stevens acting as 'agent' of the estate. On the agenda, Gavin Stevens was listed as agent for the estate of Jennifer Thompson. When this was pointed out to the members of the board, they seem to be unaware that the seller had not given permission for the firm to act as its agent.

- Determination of historic character of two property walls. The first wall in question is a retaining wall separating the front of the property from sidewalk on Gildersleeve Street, which was constructed in 1924. (Note the brass plaque embedded in the concrete in the middle of the street at the top of the 700 block) The adjacent property to the north has a similar retaining wall, topped by a historically significant wire fence. Mention was made in the Nov 13 meeting that the property line between these properties is the same wire. Because the walls follow the grade of the street, it may be argued that they are of the same time period. No sampling of the wall material was made. The use of aerial photos was reportedly inconclusive. A former resident of the block with many years' knowledge of the neighborhood has offered his testimony and has photographic evidence of a section of the retaining wall in question. The second wall is also historic at about 8 feet with a stone base as the foundation and stucco on top that

matches another wall dividing the properties. The driveway proposal will also compromise at least 2 mature trees that will have to be completely removed

- Prior Historic Board reviews of 719 Gildersleeve. The previous owner was not allowed to change the color of the stucco on the house or walls because it was deemed that the original white was indeed historic.

- No official survey, property corner determination or engineering report for the driveway. It is difficult at this time to determine whether the wire fence along the front and side of the house would be compromised, which in fact is historic as noted by the board in the meeting held on Nov. 13th.

- Original driveway location. There was no indication in the driveway proposal to rehab the original driveway or remove the concrete apron to the street. Due to the grade elevation of the current driveway this will be quite noticeable from the street despite the applicant's verbal assurances that an extension of the existing wall will be constructed across the driveway.

- View from the Street. To enhance the street view of the property it would be ideal if the board recommended removal of the coyote fence to conform to the historic character of the property. Also, removal of the driveway apron and repair of the sidewalk and curb adjacent to the street to conform to the 'one driveway per property' nature of the neighborhood. The representative from Jenkins Gavin informed us at the close of the Nov 13 meeting that there was no plan to remove any concrete from the existing drive. This was not part of the proposal; however it appears this could be an opportunity to work with the new owner to instill the goal of historic preservation.

- The original notification poster placed on the property gave the wrong meeting site and was not amended as were other posters on locations under review on Nov 13's meeting (612 Old Santa Fe Trail). This, and the extremely short notice gave the neighbors little time to prepare objections to the project. The applicant did not offer any information, verbally or in writing, (as was requested, because we were unavailable in person from Oct 29 through Nov 13). Gavin-Stevens' representative offered no information, nor did the architectural firm, which also preformed site visits prior to closing of the property on Nov 2.

Additional Appellants

Pamela Cersosimo
716 Gildersleeve

Marion Kassin
714 Gildersleeve

Martha Abernathy
718 Gildersleeve

Sloan Cunningham
907 Gildersleeve

We are totally opposed to the owners of 719 Gildersleeve Street adjacent to our property on 715 Gildersleeve Street putting a road and an additional house on the back of their property. This road would significantly change the historic character of the street. There is a reason that the drives are placed adjacent and there is a quiet space between each adjacent house. Adding a road on the north side of the 719 Gildersleeve house would eliminate this buffer quiet space and interfere significantly with the quiet enjoyment of our two homes at 715 Gildersleeve.

This is unacceptable.

We concur with the neighbors who oppose this variance.

We support every effort to stop the actions of the owners of 719 Gildersleeve Street.

Please let us know as soon as possible what the next steps are to make sure the road and additional house are not constructed.

Thank you.

Sincerely,

S. Barry Paisner and Charleen Touchette

Owners of 715 Gildersleeve Street

11/14/2012

I ATTEST THIS PICTURE WAS TAKEN OF ME WHEN I RESIDED AT 714 GILDERSLEEVE. AS I REMEMBER THIS PICTURE WAS TAKEN OF ME SOMETIME IN THE MID-50's. MY FAMILY OWNED THE HOUSE @ 714 FROM 1943 UNTIL 2005. TO MY KNOWLEDGE, THE SAME WALL IN FRONT OF 714 GILDERSLEEVE WAS IN PLACE ALL OF THAT PERIOD.

Barbara R. Lockhart

11/14/12 witness: Marsha Abernathy



City of Santa Fe
Cashiers Office
Santa Fe, NM 87504
(505)955-4333

12/20/2012 2:51:26 PM
Your cashier was LORRAINE
B002501112354 T89

Development Review
PAMELA CERSOSIMO

11001.431470	$100.00
Total	$100.00
Check 1645	$100.00
Change	$0.00

Thank you!

City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

David Coss, *Mayor*

Councilors:
Rebecca Wurzburger, Mayor Pro Tem, Dist. 2
Patti J. Bushee, Dist. 1
Chris Calvert, Dist. 1
Peter N. Ives, Dist. 2
Carmichael A. Dominguez, Dist. 3
Christopher M. Rivera, Dist. 3
Bill Dimas, Dist. 4
Ronald S. Trujillo, Dist. 4

Project description: Proposes to remove a portion of an existing street retaining wall, a coyote fence and a separate yard wall to create a new driveway at this contributing residence. An exception is requested to remove historic material (Section 14-5.2(D)(1)(a)).

Project number: 12-120088
Case number: H-12-088
Project type: HDRB

PROJECT LOCATION (S): **719 Gildersleeve Street**

PROJECT NAMES:

OW – Jennifer A. Thompson
Santa Fe, NM 87505

1372 Santa Rosa Drive
505-670-5002

AP – Jenkins Gavin
Santa Fe, NM 87501

130 Grant Ave., #101
505-820-7444

BOARD ACTION

This is to certify that the Historic Districts Review Board (HDRB) at their hearing on November 13, 2012, acted on the above referenced case. The decision of the Board was to approve your application as submitted, and additionally determined that the applicant had met the one requested exception. For further information please call 955-6605.

Sincerely,

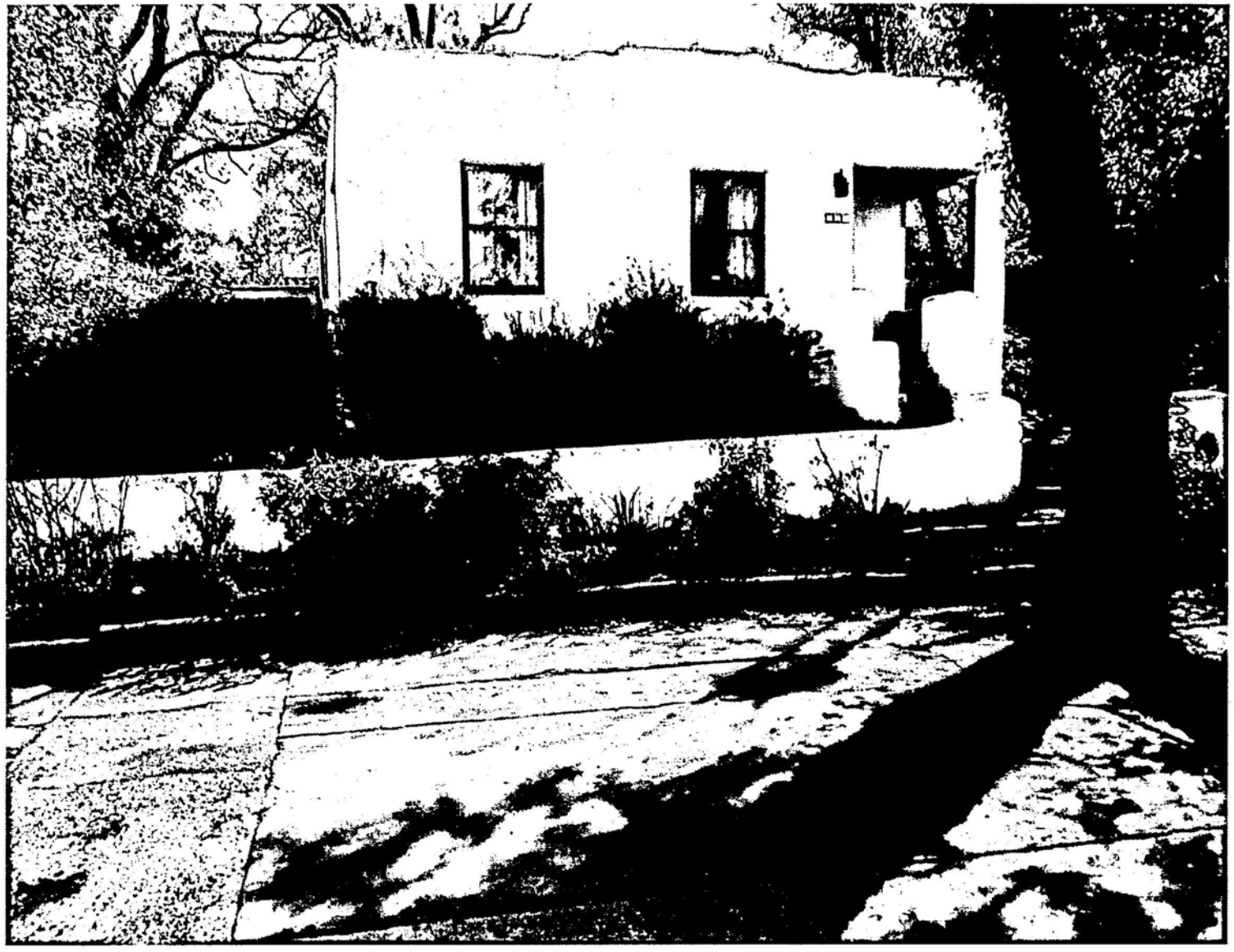
John Murphey
Senior Planner, Historic Preservation Division

NOTE: Applicant can use this action letter to apply for construction permit, but the permit shall not be released until the end of the appeal period which starts on the date of filing of the Findings and Conclusions in the City Clerks office (SFCC 14-3.17(D)). Your permit will be denied if any changes on plans that were not approved by the HDRB or if conditions of approval are not met. **Please attach copies of this letter to all sets when submitting for construction permit.**

719 Gildersleeve Street



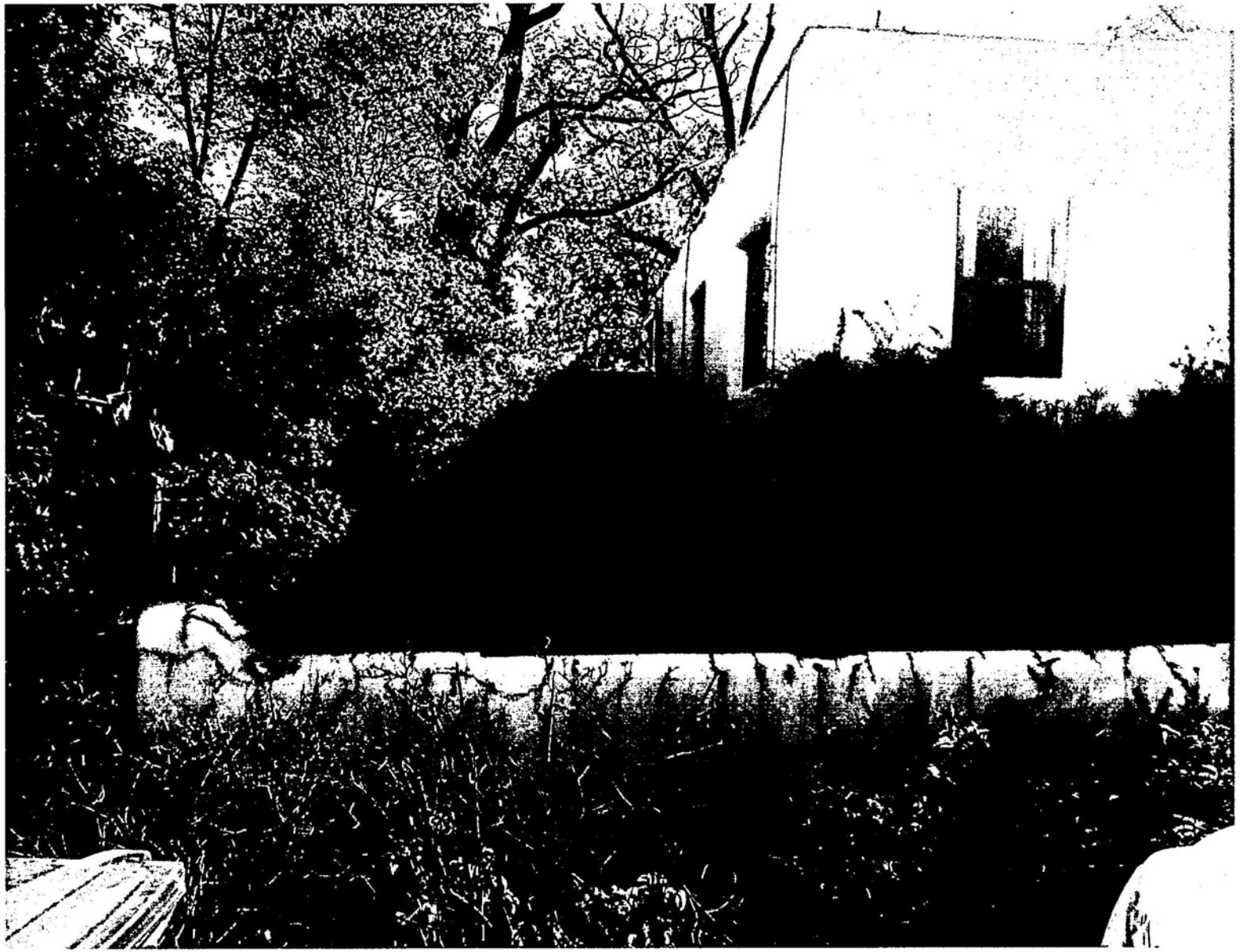
Context View



Front Elevation



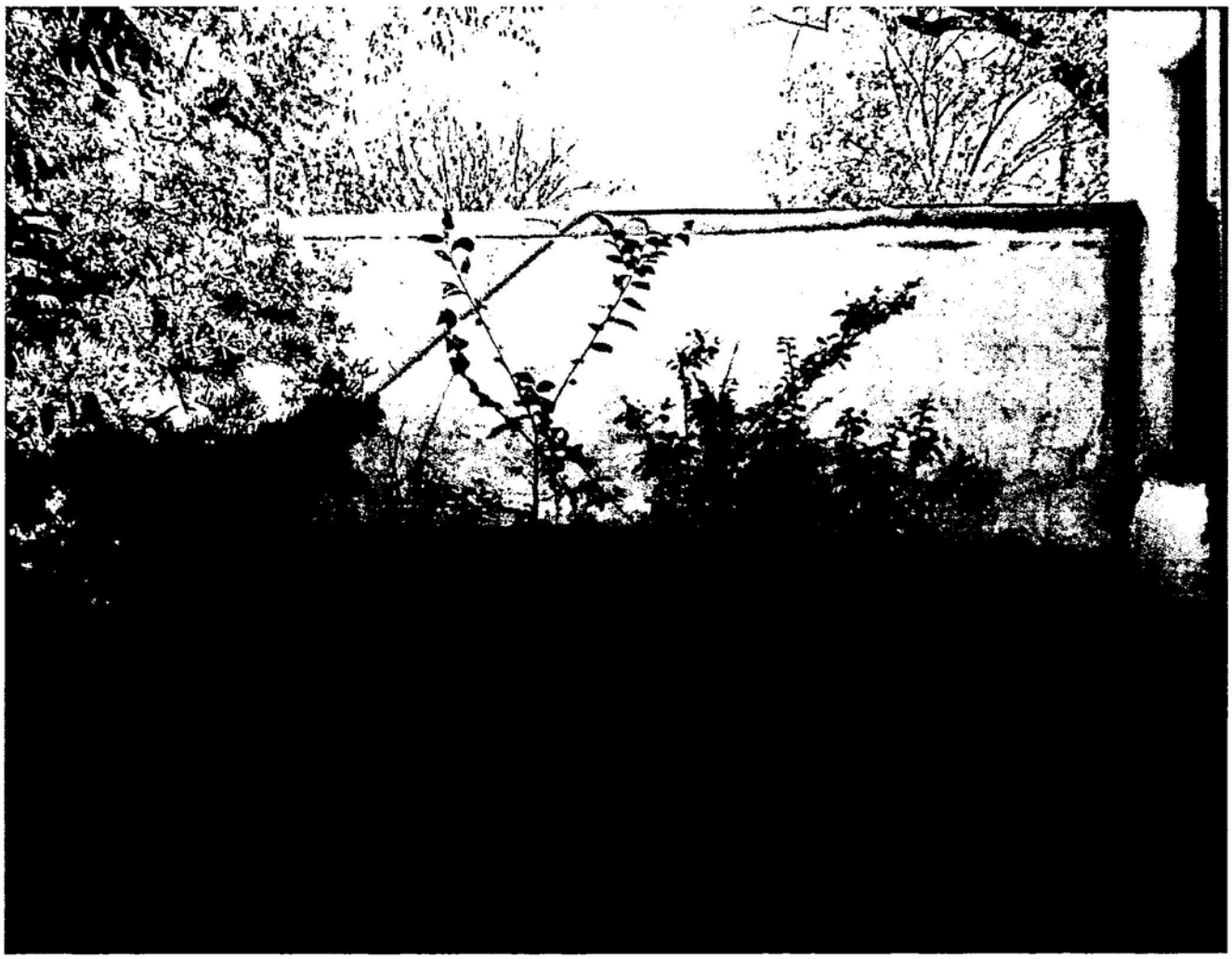
Southwest Front Elevation – Existing Driveway



Northwest Front Elevation – Location of Proposed Driveway

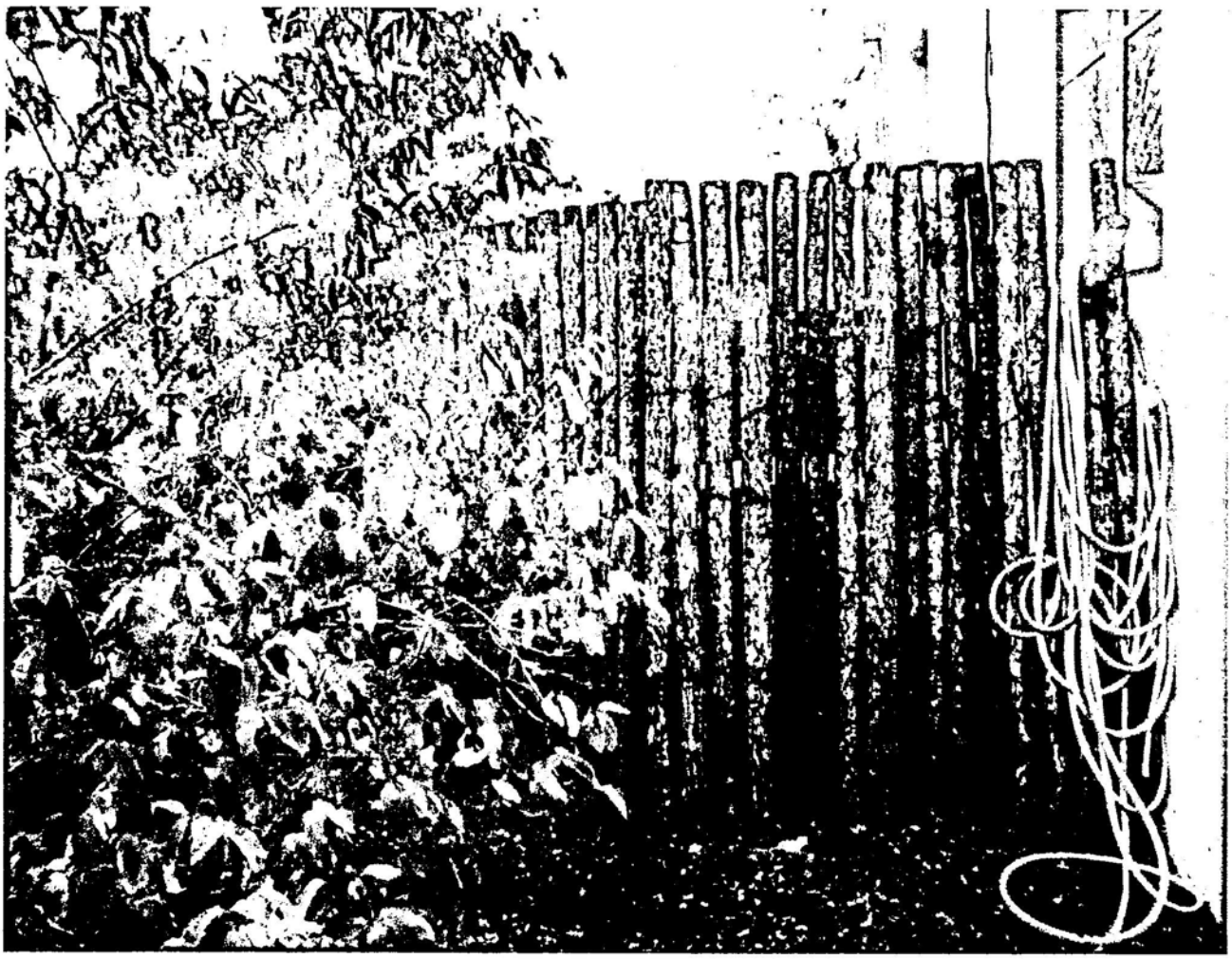


Stone/Stucco Wall
East Elevation (View From Backyard)
63"H x 11'W x 6"D

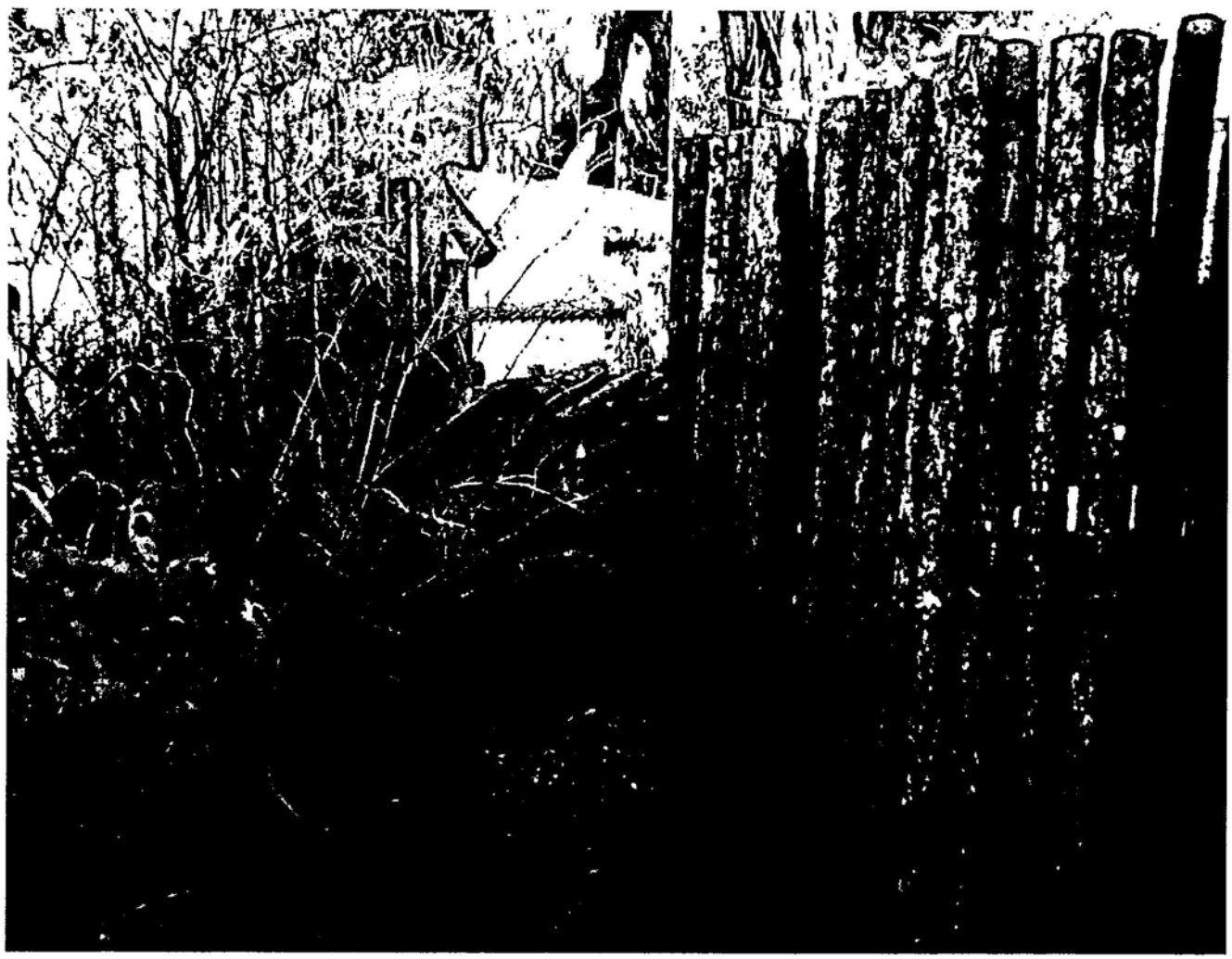


Stone/Stucco Wall
West Elevation (View from Front)
88"H x 11'W x 6"D

719 Gildersleeve Street
Additional Wall Photographs



Coyote Fence
69 ½"H x 11'W x 5"D
Photo #1



Coyote Fence
Photo #2

Preliminary Zoning Review Worksheet

City of Santa Fe Land Use Department

To Be Completed By Applicant:

Date Submitted: 10·16·12	**Site Address:** 719 Gildersleeve
Property Owner of Record: Estate of Jennifer A. Thompson	**Proposed Construction Description:** Relocate driveway- Modify yardwalls to accommodate driveway.
Applicant/Agent Name: Jenkins Gavin	
Contact Person Phone Number: ( )820 7444	**TOTAL ROOF AREA:**

NOTE: Preliminary zoning reviews are provided as a courtesy and are intended to address general zoning compliance issues. Applicants are advised to do an independent search of applicable zoning ordinances and to research documents related to property history which may affect permitting. Additionally, applicants are advised to contact appropriate City Staff with questions related to Terrain management, building, fire, water budget, Sangre de Cristo, wastewater, and other development codes which may affect permitting.

BASED ON INFORMATION PRESENTED ON APPLICATION DATE, THIS REVIEW DOES NOT GRANT ZONING APPROVAL AT THE TIME OF BUILDING PERMIT. FINAL ZONING APPROVAL WILL BE GRANTED ONCE ALL COMPLIANCE WITH ZONING HAS BEEN MET.

Hillary Welles for Jenkins Gavin / by F — 11 / 01 / 12

☐OWNER ☐APPLICANT ☒AGENT — DATE

Zoning District: R-21

Overlay:
- ☒ Historic Don Gaspar
- ☐ Arts and Crafts
- ☐ Escarpment*
- ☐ Flood Zone*
- ☐ Cerrillos Road Corridor
- ☐ Other: _____

Zoning Submittal Requirements:
- ☒ Legal Lot of Record ☐ Development Plan ☐ Building Plans
- ☒ Existing Site Plan ☒ Proposed Site Plan ☒ Elevations

Supplemental Zoning Submittals:
- ☐ Zero Lot Line Affidavit NA

Access and Visibility: ☐ Arterial or Collector*
- ☒ Visibility Triangle Required see below

Use of Structure:
- ☒ Residential
- ☐ Commercial Type of Use: _____

Terrain: ☐ 30% slopes NA

* Requires an additional review conducted by Technical Review or Traffic Engineering Division to ensure compliance.

Lot Coverage: 26 % No change
☐Open Space Required: _____

Setbacks: NA ~ No change
Proposed Front: _____ Minimum: _____
2nd Front? _____
Proposed Rear: _____ Minimum: _____
Proposed Sides: L___ R___ Minimum: ___

Height: Proposed _____ NA
Maximum Height: _____ or
☐ Regulated by Historic Districts Ordinance
☐ Regulated by Escarpment District

Parking Spaces:
Proposed 4 Accessible** —
Minimum: 2

Bicycle Parking:**
Proposed: _____ Minimum: _____

** Commercial Requirement

To Be Completed By City Staff:

Additional Agency Review if Applicable:

☐ Escarpment Approval by _____ Date: ___/___/___ > NA

☐ Flood Plain Approval by _____ Date: ___/___/___

☒ Traffic Engineering Approval by _____ Date: 10/10/12 original approval attached.

Notes: _____

Zoning Approval:

☒ **Preliminary Approval ☐with conditions ☐ Rejected**

Comments/Conditions: _____

REVIEWER: _____ **DATE:** 11/01/12 **Rev. 4-12**

Note: If approved, please stamp and initial each page of plan set.

City of Santa Fe, New Mexico

memo

DATE: November 13, 2012

TO: Historic Districts Review Board Members

FROM: John Murphey, Senior Planner, Historic Preservation Division
David Rasch, Supervisor Planner, Historic Preservation Division

---

CASE # H-12-088

Address: 719 Gildersleeve Street
Historic Status: Contributing
Historic District: Don Gaspar Area

REFERENCE ATTACHMENTS (sequentially):

CITY SUBMITTALS	APPLICANT SUBMITTALS
_x_ Case Synopsis	_x_ Proposal Letter
___ District Standards and Yard Wall and Fence Standards	___ Vicinity Map
_x_ Historic Inventory Form	_x_ Site Plan/Floor Plan
_x_ Zoning Review Sheet	_x_ Elevations
___ Other:	_x_ Photographs
	_x_ Other: Exception responses

STAFF RECOMMENDATION:

Staff recommends approval of this application, as it complies with Section 14-5.2 (D)(9), General Design Standards (Height, Pitch, Scale and Massing), and (H), Don Gaspar Area Historic District. Staff recommends the applicant has met the exception to remove historic material to provide additional off-street parking for a future second dwelling unit on the property, under Section 14-5.2 (D)(1)(a).

BACKGROUND AND SUMMARY:

Facing west and on a slight rise above the street, 719 Gildersleeve is a 1,800 sq. ft. rectangular plan, single-story dwelling with a long, linear post-1948 studio addition made to the original garage at the rear. (The current studio includes a bathroom but not a kitchen). The house's symmetrical pattern of windows is interrupted across the front façade by a cube-like inset porch. The dwelling's massing and rounded edge parapets place it in the Spanish-Pueblo Revival category. This motif additionally informs a low retaining wall trading the edge of the sidewalk. Constructed in c.1914, the house is contributing to the Don Gaspar Area Historic District.

Project

The applicant proposes to construct a new driveway along the north side of the house, thereby, replacing the existing driveway at the south end of the property.

The project will involve removing approximately 12' of the above-mentioned retaining wall at the north end and filling in the current driveway to the south with a wall of similar height and design. Essentially swapping one driveway cut for the other.

Work will include removing two additional structures along the north elevation of the house. These include a 69.5"-high recent coyote fence and an 88"-high stucco-clad stone wall farther to the east. Beyond, the driveway, paved with "Santa Fe Brown" gravel, will terminate at the east property wall with four parking spaces. In the front, low retaining walls will follow the 2% grade of the driveway.

Exception

Because the origins of the two walls are unknown, and their design and construction appear to be historic, the applicant has requested an exception to remove historic material under Section 14-5.2 (D)(1)(a).

Applicant responses:

(i) Do not damage the character of the streetscape;

Removing a portion of the front yardwall to allow for a driveway will not damage the character of the streetscape, as the wall will be subsequently replaced on the opposite side of the property where it now breaks for the existing driveway. The result will be a mirror image that will preserve the character of the historic façade. The additional back yard wall to be removed is minimally visible from the street and will not affect the streetscape.

Staff agrees with response.

(ii) Prevent a hardship to the applicant or an injury to the public welfare;

The property now provides for only one off-street parking space for two potential dwelling units. This creates a hardship for the residents, as on-street parking is at a premium on this densely populated street. In order for the applicant to obtain a permit to convert the existing studio to a fully functional dwelling unit, the property must be

brought into compliance with Santa Fe City Code, which calls for two off-street parking spaces for each dwelling unit. Public welfare is served by adding off-street parking to minimize on-street parking in this dense neighborhood.

Staff agrees with response. The current driveway is truncated by a coyote fence, reducing it to one paved parking space. The fence could be removed to provide an additional 27 linear feet of parking space to meet code for the existing dwelling unit. This configuration, however, would not provide sufficient off-street parking for a potential second unit.

(iii) 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;

Providing the opportunity to move the driveway in order to access off-street parking ensures that residents of the property will be able to comfortably and safely park within their historic district. Maintaining a desirable residential neighborhood entails ensuring adequate off-street parking.

Staff neither agrees nor disagrees with this response.

(iv) Are due to special conditions and circumstances which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the related streetscape;

Several other residences in the related streetscape already have more than one off-street parking space in their side or back yards. The subject property has only one off-street parking space for two potential dwelling units.

Staff neither agrees nor disagrees with this response.

(v) Are due to special conditions and circumstances which are not a result of the actions of the applicant;

The property is legal nonconforming in that it has only one off-street parking space when four will be required for the creation of an additional dwelling unit as described above. This is an existing condition that is not a result of the actions of the applicant.

Staff neither agrees nor disagrees with this response. The current coyote fence could be removed to re-establish the original driveway to the former garage and provide an additional parking space.

(vi) Provide the least negative impact with respect to the purpose of this section as set forth in Subsection 14-5.2 (A)(1).

Replacing one driveway with another, and replacing the wall to close the existing driveway, preserves the historical façade of the building and does not negatively impact the streetscape. The wall will be replaced in its current historic Pueblo Revival style.

Staff agrees with this response. If the purpose of the request is to provide additional spaces for a future second dwelling unit, this proposal provides the least negative impact, as per the goals set forth in Section 14-5.2 (A)(1).

RECEIVED
NOV - 6 2012

Prepared By and Return To:
Fidelity National Title of New Mexico
8500 Menaul Blvd NE, Ste. B150
Albuquerque, NM 87112

GF# FT000114716-NM01

COUNTY OF SANTA FE } WARRANTY DEED
STATE OF NEW MEXICO } ss PAGES: 1

I Hereby Certify That This Instrument Was Filed for
Record On The 5TH Day Of November, A.D., 2012 at 03:34:23 PM
And Was Duly Recorded as Instrument # 1686776
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Valerie Espinoza
Deputy - COMONTOYA County Clerk, Santa Fe, NM

COUNTY CLERK SANTA FE COUNTY NEW MEXICO

WARRANTY DEED
(Joint Tenants)

Geoffrey Graeme Thompson M.D. as Personal Representative of the Estate of Jennifer A. Thompson, deceased

for consideration paid, grant to

Brian Blount and Caryll Pearlman Blount , husband and wife

whose address is 1372 Santa Rosa Dive, Santa Fe, NM 87505

as joint tenants the following described real estate in County, New Mexico:

Lots 3 & 4, Block 10 of the Buena Vista Addition, as shown on "Plat of Survey for Michael L. Wineland...", filed on June 28, 1994 in Plat Book 278, page 028 as Document No. 868219, records of Santa Fe County, New Mexico.

with warranty covenants.

SUBJECT TO Patent, reservations, restrictions, and easements of record and to taxes for the year 2012, and subsequent years.

Witness my hand and seal this 2 day of November 2012

Geoffrey Graeme Thompson M.D., Personal Representative

STATE OF CA

COUNTY OF San Diego

This instrument was acknowledged before me Ramona Khyrolomoor, Notary Public
by Geoffrey Graeme Thompson

Ramona Khyrolomoor
Notary Public

My Commission Expires: Oct 31/2014

(SEAL)

OFFICIAL SEAL
RAMONA KHYROLOMOOR
NOTARY PUBLIC-CALIFORNIA
COMM. NO. 1906799
SAN DIEGO COUNTY
MY COMM. EXP. OCT. 31, 2014

RBG-1 RBG-1

PDF created with pdfFactory trial version www.pdffactory.com

Return to First American Title Insurance Company
File No. NM04-462142-SF01 DK

WARRANTY DEED

Marcia Weese, an unmarried woman, for consideration paid, grant(s) to Jennifer A. Thompson, ~~a single woman~~ Married WOMAN as her Sole and Separate property whose address is 719 Gildersleeve, Santa Fe, NM 87501, the following described real estate in Santa Fe County, New Mexico:

Lots 3 & 4, Block 10 of Buena Vista Addition, as shown on plat entitled "Plat of Survey for Michael L. Wineland...", filed in the office of the County Clerk, Santa Fe County, New Mexico, on June 28, 1994, in Plat Book 278, page 028, as Document No. 868,219.

Subject to patent reservations, restrictions, and easements of record and taxes for the year 2nd half 2004 and subsequent years.

with warranty covenants.

WITNESS my/our hand(s) and seal(s) this 12th day of November, 2004.

Marcia Weese

Individual Capacity

State of Illinois)
) §
County of Cook)

This instrument was acknowledged before me on the 12 day of November, 2004, by Marcia Weese.

Notary Public

My commission expires:

3-4-2007

"OFFICIAL SEAL"
GLORIA SAEZ
Notary Public, State of Illinois
My Commission Expires March 4, 2007

COUNTY CLERK
REBECCA BUSTAMANTE
SANTA FE COUNTY NEW MEXICO

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

WARRANTY DEED
PAGES: 1

I Hereby Certify That This Instrument Was Filed for Record On The 18TH Day Of November, A.D., 2004 at 15:22 And Was Duly Recorded as Instrument # 1355355 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Rebecca Bustamante
Deputy _____ County Clerk, Santa Fe, NM

SFC CLERK RECORDED 11/03/2004

STATE OF CA)
) ss.
COUNTY OF San Diego)

I, Geoffrey Graeme Thompson, M.D., accept the duties of personal representative of the Estate of Jennifer A. Thompson, deceased, and do solemnly swear that I will perform, according to law, the duties of personal representative of the Estate.

5/31/11

Geoffrey Graeme Thompson, M.D.

Subscribed and sworn to before me this 31st day of May, 2011, by Geoffrey Graeme Thompson, M.D.

Notary Public

My Commission expires:
Oct 31/2014

OFFICIAL SEAL
RAMONA KHYROLOMOOR
NOTARY PUBLIC-CALIFORNIA
COMM. NO. 1906799
SAN DIEGO COUNTY
MY COMM. EXP. OCT. 31, 2014

ENDORSED
First Judicial District Court

JUN 13 2011

Santa Fe, Rio Arriba &
Los Alamos Counties
PO Box 2268
Santa Fe, NM 87504-2268

FIRST JUDICIAL DISTRICT COURT
COUNTY OF SANTA FE
STATE OF NEW MEXICO

No. D-0101-PB-2011-00112

IN THE MATTER OF THE ESTATE OF
JENNIFER A. THOMPSON, Deceased

LETTERS OF ADMINISTRATION AND ACCEPTANCE

This estate having been duly filed with this Court, Geoffrey Graeme Thompson, M.D. is hereby appointed to serve as personal representative of the estate.

DATED: 6.13., 2011

STEPHEN T. PACHECO,
COURT ADMINISTRATOR/CLERK

By: _____
Deputy

I hereby certify that the foregoing pleading is a true and correct copy of same which has been filed in my office on the 13 day of JUNE, 2011
Dated this 13 date of JUNE, 2011
By: _____
Deputy
STEPHEN T. PACHECO
Court Administrator/District Court Clerk

STATE OF NEW MEXICO

CERTIFICATE OF DEATH

New Mexico Vital Records and Health Statistics
State of New Mexico
United States of America

DECEDENT'S LEGAL NAME		IF FEMALE, MAIDEN NAME	
<<<Jennifer Ann Thompson>>>		<<<>>>	
DATE OF DEATH	**TIME OF DEATH**	**SEX**	**SOCIAL SECURITY NUMBER**
April 18, 2011	07:35 AM ☐ PM ☒	Female	554-02-2038
MARITAL STATUS	**SURVIVING SPOUSE - If wife, maiden name**		
Divorced	<<<>>>		
DATE OF BIRTH	**BIRTH PLACE**	**SERVED IN U.S. ARMED FORCES**	
September 21, 1954	California	Yes ☐ No ☒	
DECEDENT'S RACE	**TRIBE**	**HISPANIC**	
White	<<<>>>	Yes ☐ No ☒	
DECEDENT'S RESIDENCE COUNTY	**DECEDENT'S RESIDENCE STATE**		
Santa Fe	New Mexico		
MOTHER'S FULL MAIDEN NAME	**FATHER'S FULL NAME**		
<<<Charlotte Lucille Ellis>>>	<<<Joseph Meacham Thompson>>>		
METHOD OF DISPOSITION ☐ Burial ☐ Donation ☐ Removal from State ☒ Cremation ☐ Entombment ☐ Other (Specify): <<<>>>		**DISPOSITION LOCATION** Direct Funeral Services Crematory	
FUNERAL SERVICE FACILITY		**COUNTY OF DEATH**	
Direct Funeral Services		Santa Fe	
PLACE OF DEATH	**TYPE OF PLACE**	**NAME OF PERSON CERTIFYING CAUSE OF DEATH**	
719 Gildersleeve Street, Santa Fe, New Mexico 87505	Decedent's Residence	<<<Karin E. Thron MD>>>	

MANNER OF DEATH ☒ Natural ☐ Accident ☐ Homicide ☐ Suicide ☐ Undetermined ☐ Pending Investigation

CAUSE OF DEATH

PART I. Events such as diseases, injuries, or complications that directly caused the death.

a. malignant metastatic breast cancer

b. <<<>>>

c. <<<>>>

d. <<<>>>

PART II. Other significant conditions contributing to death.

<<<>>>

File Number: 2011-004540
File Date: April 22, 2011
Order Number: 20110407290
2917472

Mary Anne Escudero, State Registrar

CERTIFIED COPY OF VITAL RECORD
This is a true and exact reproduction of all or part of the document officially registered and filed with the New Mexico Vital Records and Health Statistics, Public Health Division, Department of Health

Donna Dossey
State Registrar

DATE ISSUED: Apr 25 2011

WARNING: IT IS ILLEGAL TO ALTER, COPY OR COUNTERFEIT THIS CERTIFICATE.
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October 8, 2012

RE: 719 Gildersleeve Street

To Whom It May Concern:

This letter shall serve as authorization for JenkinsGavin Design & Development, Inc. to act on my behalf with respect to the referenced property regarding land use applications to be submitted to the City of Santa Fe.

Please call should you have any questions or need additional information.

Thank you.

Sincerely,

2D0E56C1A0344C1...
Brian Blount
DocuSigned By: Brian Blount

Brian Blount

HISTORIC DISTRICTS REVIEW BOARD APPLICATION

PROJECT LOCATION: 719 Gildersleeve

HISTORIC DISTRICT: (from attached map) Downtown & Eastside [ ] Don Gaspar Area [✓] Westside-Guadalupe [ ] Historic Transition [ ] Historic Review [ ] Landmark (outside of historic districts) [ ]

PROJECT PROPOSAL: Modify existing yard walls to accommodate a new driveway.

CONSTRUCTION COST: $ 50,000 **FEE:** $ 250 +$350 Exception +$25 Poster Cost = $ 625.00

OWNER: Estate of Jennifer A. Thompson **PHONE #:** 670-5002

*Applicant ~~OWNER~~ **ADDRESS:** Brian Blount & Caryll Blount, 1372 Santa Rosa Dr.

CITY, STATE, ZIP CODE: Santa Fe, NM 87505

Agent ~~**APPLICANT:**~~ Jenkins Gavin **PHONE #:** 820-7444

ADDRESS: 130 Grant Ave #101

CITY, STATE, ZIP CODE: Santa Fe, NM 87501

NEW CONSTRUCTION:
Single-Family Residence [ ] Commercial [ ] Multi-Family Residence [ ] one exception

OTHER CONSTRUCTION: cut in walls to create drive to rear;
Demolition [ ] Remodel [✓] Addition [ ] Residential [ ] Signs [ ]
Wall/Fence [ ] Antenna [ ]

PREAPPLICATION MEETING: Date: 09/21/12 Case Planner: [signature]

PRELIMINARY ZONING REVIEW: Date: 10/16/2012 Planner: Dan Esquibel
(You must schedule a meeting with Zoning Planner prior to the HDRB submittal deadline date. Worksheet will not be reviewed on the HDRB submittal deadline day/Preliminary Zoning Review Form must be submitted with proposal)

HEIGHT CALCULATION
Does the project include multi-story new construction, a building addition, and/or a wall or fence which will increase the height? **YES [ ] NO [✓]**
If yes, please provide a written request for an updated maximum allowable height calculation.
What is the proposed height of your project? _____

AFFIDAVIT TO AUTHORIZE AGENT (IF APPLICABLE)
I am,/We are the owner(s) and record title holder(s) of the property located at: _____

I/We authorize Please see attached letter of authorization. to act as my/our agent to execute this application.

Signed: _____ Date: _____

Signed: _____ Date: _____

I agree to post notice of the proposed project on the site fourteen (15) days prior to the Historic Districts Review Board hearing. I am aware that a decision of the HDRB may be appealed by any aggrieved party within fifteen (15) days of the adoption of Findings and Conclusions.

[signature] 10.17.2012

Signature of Applicant/Owner Date

* Applicant is under contract to purchase the property.