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

Case # 2026-11768-HDRB
Address – 801 Old Santa Fe Trail
Agent's Name – Jennifer Salimbene, Santa Fe Permits
Owner/Applicant's Name – Stuart A. Cohen

THIS MATTER came before the Historic Districts Review Board ("Board") for hearing on January 27, 2026.

BACKGROUND

The subject property at 801 Old Santa Fe Trail is a Territorial Revival style 1920s residence designated as significant to the Downtown and Eastside Historic District. Unit A is the original structure on the property. In categorizing it as significant, the author of a 1992 Historic Building Inventory noted that an early tenant at the residence was Bonifacio Montoya, a former Sandoval County Assessor and Sandoval County School Superintendent. He rose to state-level prominence serving as the New Mexico State Corporation Commissioner from 1914 to 1926. Units B and C were built post-1984 in what used to be the rear, farmland of Unit A. These two properties have been split from the lot and are no longer part of the property with Unit A.

While the structure was built in sections, it was completed by the 1920s. The residence has a concrete-over-stone foundation, a portal on the west side with white posts, a beadboard ceiling, and brick coping on the roof parapet. The brick coping on the residence is only on the west elevation. Along Old Santa Fe Trail, the southern end has higher yard walls and coyote fences, and a single yard wall with wrought iron metal on top of the wall. The windows are mostly single-lite wood windows with a single window with divided lites on the south elevation and two two-over-two windows on the west elevation under the portal. The windows do not match those described in the 2002 Historic Cultural Properties Inventory.

The property also has a 1920s detached garage that is original to the property. The garage also is designated as significant. This structure is not a part of the project being proposed at this time. The Board approved a free-standing carport in 2013 under Case # H-13-083. The Staff granted administrative approvals Jan. 3, 2019, to replace sliding doors with a 4'x2' divided-lite window, stucco repair and replacement of the wood carriage doors of the garage. An approval to stucco in cementitious desert rose was issued May 18, 2004, and an approval to replace the roof and change the canales in-kind was issued July 2, 2018.

The Applicant now proposes the following exterior alterations:

1) Replacement of eight windows. The new window frame will overlap the old window frame, allowing for the removal of the old sash, and leaving the historic frames in place. Window replacement will be in-kind, with double-hung Windsor Pinnacle, wood-prime windows. An exception is requested to Santa Fe City Code ("SFCC") Section 14-4.6(E)(4)(I)(a) for replacing historic windows on primary facades.

a. Replacement of windows C, D and E on the west elevation, and H on the south. Windows C and E have historic frames, but non-historic sashes and other components. The historic frames of windows C and E will remain with the new window sitting in the historic frame. Window D is not historic. Window H is historic but is rotted beyond repair.
b. Replacement of windows I and J on the west elevation. Window I has a historic frame, but the divided-lite pattern does not match the residence and is not a historic window. Window J is not historic.
c. Replacement of non-historic windows K and L on the north elevation.
d. Repair as needed windows A, B, F, G, and M through Q. Windows A, B and Q are historic and are restorable. Windows F and G have historic frames, but non-historic sashes. These windows will not be replaced. Window M is non-historic.

FINDINGS OF FACT

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

1. Land Use Department Staff conducted a preliminary zoning review ("PZR") and determined that the Application appears to meet the underlying zoning standards set forth in the Santa Fe City Code ("SFCC").
2. Historic Preservation Division Staff reviewed the application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Board with a written report of its findings ("Staff Report"), which evaluates the factors relevant to the application.
3. Historic Preservation Division Staff Recommendation: Staff found that the exception criteria had been met and recommended approval of the exception to SFCC Section 14-4.6(E)(4)(I)(a) for replacing historic windows on primary façades. Otherwise, Staff recommended approval of the other elements of the application, as they comply with SFCC Sections 14-4.6(E), General Design Standards for all Historic Districts, and 14-4.6(G)(2), Downtown and Eastside Historic District Design Standards.
4. The project is subject to SFCC Section 14-4.6(C), Buildings with Significant or Contributing Historic Status.
5. The project is subject to the requirements and general design standards set forth in SFCC Section 14-4.6(E), General Design Standards for All Historic Districts.
6. The property is located in the Downtown and Eastside Historic District and is subject to the district design standards set forth in SFCC Section 14-4.6(G)(2).
7. Under SFCC Sections 14-2.2(F)(2) and (3)(I), 14-4.6(A)(1), 14-4.6(C)(3)(I-II), and 14-4.6(C)(4), the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.
8. Under SFCC Section 14-4.6(E)(4)(I)(a), for all façades of significant structures, historic windows shall be repaired or restored wherever possible.
9. The Applicant proposes to replace components of historic windows C, E and I, which are restorable, on primary façades. The Staff determined that an exception to SFCC Section

14-4.6(E)(4)(I)(a) would be required for approval of the application, and the Applicant requested an exception.

10. To obtain an exception, the Applicant was required to conclusively demonstrate that the three exception criteria set forth in SFCC Section 14-4.6(D)(2)(II) have been met.
11. Based on the information set forth in the Staff Report and exhibits, and the evidence and testimony presented at the hearing, the Board agrees with Staff's finding that the Applicant has conclusively demonstrated that all exception criteria have been met:
    a. Pursuant to SFCC Section 14-4.6(D)(2)(II)(a), the Board finds that granting the exception would not damage the character of the district because the only fully historic window is window H, which is rotted beyond repair and not protected by SFCC Section 14-4.6(E)(4)(I)(a). Windows C, E and I have historic frames that will not be replaced, therefore, there will be no impact to the district;
    b. Pursuant to SFCC Section 14-4.6(D)(2)(II)(b), the Board finds that the exception is required to prevent a hardship to the Applicant or an injury to the public welfare because the historic window to be replaced will cause structural damage if not addressed, and the non-historic components of windows in historic frames are mismatched, deteriorated and/or broken; and
    c. Pursuant to SFCC Section 14-4.6(D)(2)(II)(c), the Board finds that granting the exception would strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure that residents can continue to reside within the Historic Districts, because the changes are sensitive to the long-term preservation of the structure, the comfort of the residents, and the continued use of this significant structure as a residence.
12. The Board finds that the Applicant has conclusively demonstrated that all of the exception criteria have been met for replacement of windows C, E and I.
13. The information contained in the Staff Report and exhibits, and the testimony and evidence submitted at the hearing, establishes that all applicable requirements for Board review as herein described have been met.
14. The information contained in the Staff Report, and the exhibits, testimony and evidence submitted at the hearing, establishes that all applicable design criteria have been met.

CONCLUSIONS OF LAW

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

1. The Board has the authority to review and approve the application.
2. The Board approves Items # 1a-1d as set forth in the application, as recommended by Staff.
3. The Board grants the exception requested in the application.

IT IS SO ORDERED ON THIS 27th DAY of OCTOBER, 2026, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

_____ _____

Cecilia Rios, Chair Date

FILED:

_____ _____
Geralyn Cardenas Date
City Clerk

APPROVED AS TO FORM:

_____ _____
Frank Ruybalid Date
Assistant City Attorney