



Landmarks Commission

City of Albuquerque
Planning Department
Landmarks Commission
P.O. Box 1293
Albuquerque, New Mexico 87103

Date: August 10, 2023

OFFICIAL NOTIFICATION OF DECISION

PR-2023-008932
SI-2023-01218
Application for Certificate of
Appropriateness

Jon Vangaasbeek, agent for Julie L. Hennerty, requests approval of a Certificate of Appropriateness for New Construction at 518 Walter St. SE, described as Lot 1, Block 30, Huning Highland Addition in the Huning Highland HPO-4 (K-14-Z)

On August 9, 2023 the Landmarks Commission voted to Approve **PR-2023-008932/SI-2023-01218**, based on the following Findings and Conditions of Approval.

1. The application is a request for a Certificate of Appropriateness for construction of a new accessory building, located at 518 Walter Street SE, described as Lot 1, Block 30, Huning Highland Addition (the “subject site”). The property is located in the Huning Highland Historic Protection Overlay Zone (HPO-4), zoned R-1A.
2. The subject site is approximately 0.158 acres.
3. The application for a Certificate of Appropriateness is for construction of a 576 square foot single story, gabled roof, accessory building, located to the rear of a contributing building in the Huning Highland Historic Protection Overlay Zone.
4. The IDO Section 14-16-6-6(D)(3)(a) states that a Certificate of Appropriateness shall be approved if “The change is consistent with Section 14-16-3-5 (Historic Protection Overlay Zones), the ordinance designating the specific HPO zone where the property is located, and any specific development guidelines for the landmark or the specific HPO zone where the property is located.”

The proposed accessory building is of a simple, traditional architectural style, with a pitched, gabled roof to complement the principal dwelling. It sits comfortably on the site and remains clearly subordinate to the contributing building. Modest accessory buildings

of this kind occur throughout the Historic District and the new structure is appropriate to the distinctive local context.

6-6(D)(3)(b) The architectural character, historical value, or archaeological value of the structure or site itself or of any HPO zone in which it is located will not be significantly impaired or diminished.

The proposal will cause no harm to the significance of the contributing building and the distinctive qualities of the Historic District will be undiminished.

6-6(D)(3)(c) The change qualifies as a "certified rehabilitation" pursuant to the Tax Reform Act of 1976, if applicable.

Not applicable.

6-6(D)(3)(d) The structure or site's distinguished original qualities or character will not be altered. For the purposes of Section 14-16-3-5 (Historic Protection Overlay Zones) and this Subsection 14-16-6-6(D), "original" shall mean as it was at the time of initial construction or as it has developed over the course of the history of the structure.

The proposal will cause no harm to the original , distinguishing qualities of the contributing building and its site.

6-6(D)(3)(e) Deteriorated architectural features shall be repaired rather than replaced, if possible. If replacement is necessary, the new material shall match the original as closely as possible in material and design.

Not applicable.

6-6(D)(3)(f) Additions to existing structures and new construction may be of contemporary design if such design is compatible with its landmark status (if any) or the HPO zone.

Not applicable – the architectural language of the new accessory structure references historic characteristics of the neighboring contributing buildings.

6-6(D)(3)(g) If the application is for a Historic Certificate of Appropriateness for demolition of a landmark or a contributing structure in an HPO zone, demolition shall only be allowed if it is determined that the property is incapable of producing a reasonable economic return as presently controlled and that no means of preserving the structure has been found. In making a determination regarding reasonable economic return, the LC or City Council may consider the estimated market value of the building, land, and any proposed replacement structures; financial details of the property, including but not limited to income and expense statements, current mortgage balances, and appraisals; the length of time that the property has been on the market for sale or lease; potential return based on projected future market conditions; the building's structural condition; and other items determined to be relevant to the application.

Not applicable.

5. The Neighboring Association and neighboring properties within 100 feet excluding public rights of way were notified of this application. The requisite sign was posted at the property giving notification of this application.
6. As of this writing, Staff has not received any comments in support or opposition to the request.

Recommended Conditions of Approval

1. Applicant is responsible to acquire, and approval is contingent upon, all applicable permits and related approvals.

APPEAL: IF YOU WISH TO APPEAL A **FINAL DECISION** YOU MUST DO SO IN THE MANNER DESCRIBED BELOW. A **NON-REFUNDABLE** FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.

The applicant or any person aggrieved by decision of city staff may appeal the decision of the city staff designated by the Mayor relative to a Certificate of Appropriateness to the Commission. The applicant or any person aggrieved by decision of the Commission (LC) may appeal the decision to the City Council. Any city staff or Commission decision is final unless appeal is initiated by application to the city within 15 days of the decision. The date the determination is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or holiday as listed in §3-1-12, the next working day is considered as the deadline for filing the appeal. A building permit dependent on a case shall not be issued and a proposed project not requiring a building permit shall not be initiated until an appeal is decided or the time for filing the appeal has expired without an appeal being filed.

The City Council, after consideration of the appeal record, may decline to hear an appeal if it finds that all city plans, policies and ordinances have been properly followed. If it decides that there is substantial question that all City plans, policies and ordinances have not been properly followed or are inadequate, it shall hear the appeal.

ALL CASES THAT RECEIVED APPROVAL ON **August 9, 2023** WILL BE MAILED A CERTIFICATE OF APPROPRIATENESS, AFTER THE 15-DAY APPEAL PERIOD HAS EXPIRED ON **August 24, 2023**.

Silvia Bolivar

Silvia Bolivar, PLA, ASLA
Senior Planner, Landmarks Commission