

Chapter 54
HISTORIC PRESERVATION*

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*Cross references: Buildings and building regulations, ch. 22; planning, ch. 70; zoning, app. A.

State law references: Historic preservation districts, R.S. 25:731 et seq.

ARTICLE I. IN GENERAL

Secs. 54-1--54-30. Reserved.

ARTICLE II. HISTORIC DOWNTOWN DEVELOPMENT DISTRICT*

*State law references: Historic preservation district commission authorized, R.S. 25:732; municipal authority to create historic district by ordinance, R.S. 25:736.

Sec. 54-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory/Structure means a detached subordinate building located on the same building site with the main building, the use of which is incidental to that of the main building.

Building means any covered structure intended for shelter, housing, enclosure or economic activities related to persons, animals or chattels. The term "building" shall be construed to include the term "structure."

Economic return means the capacity of a building to generate revenue, in the form of fair market rents. When the fair market rents less expenses for a building equal zero, the building shall be considered incapable of generating any net economic return on its value. Historic. A building may be classified as historic when it is at least 50 years of age and is of obvious significant local, regional or national historic, architectural and/or cultural value.

(Ord. No. 784, § 1, 2-1-93; Ord. No. 942, 1-8-08)

Cross references: Definitions generally, § 1-2.

Sec. 54-32. Demolition of historic buildings.

Whenever a property owner shows that a building classified as historic and located in the historic district delineated in section 54-34 is incapable of earning any economic return on its value, as appraised by a qualified real estate appraiser, or if new construction can be demonstrated by a property owner to be the highest and best use of the building site, such building may be demolished; however, before a demolition permit is issued, notice of proposed demolition shall be given three times during a period of 30 days to afford the city, interested persons, historical societies, or organizations the opportunity to acquire or to arrange for the preservation of such buildings, though the owner has no obligation whatsoever to the district commission after the 30-day period. The district commission shall publish the notice in the newspaper and shall pay for same.

(Ord. No. 784, § 2, 2-1-93; Ord. No. 942, 1-8-08)

Sec. 54-33. Historic downtown development/residential district commission.

- (a) Established. There is hereby created a district commission to be known as the Minden Historic Downtown Development/Residential District Commission.
- (b) Purpose. The purpose of the commission shall be to endorse plans as presented or, when deemed necessary, to make recommendations for changes to property owners upon all proposed alterations, relocations, and new construction within the boundaries of the historic district and any other actions necessary to implement the intent of this article. Commission recommendations shall not be binding. However, the commission shall make itself available to assist owners of properties on which alteration, relocation or new construction is contemplated in complying with recommendations. The commission shall also assist property owners interested in pursuing investment tax credits for historic rehabilitation to meet the requirements for that program.
- (c) Halting deterioration. The city council hereby finds and declares that it is necessary for the public health, safety and welfare of the city that the property value deterioration in the principal area or areas of the city zoned for business and known generally as the central business district be halted, since the central business district is the center of commercial, civic and cultural activities of the area. The council further finds that the supervision of the central business district can best be perpetuated by the continuance of the Minden Main Street Project. It is further declared that the city is a continuing member of both the state and national main street project organizations and as such shall continue to use these affiliations as sources for reference, guidance and consultation as needed.

(Ord. No. 784, §§ 3, 4, 2-1-93; Ord. No. 942, 1-8-08)

Sec. 54-34. Funding.

- (a) In order to partially fund the continuation of this program and for purposes provided in this article, a special taxing district has been created within the city composed of the area of the city having the following boundaries:
Beginning at a point where Dennis Street intersects with Highway 80 (Shreveport Road) and from this point of beginning, run in a northeasterly direction and along Dennis Street to a point that is halfway between Murrell Street and Spann Street; thence in a northwesterly direction and parallel to Murrell Street run to Pennsylvania Avenue; thence in a southwesterly direction and along Pennsylvania Avenue run to First Street; thence in a northwesterly direction and along First Street run to Gleason Street; thence northeasterly run one lot deep in line with the extension of Gleason Street; thence northwesterly and parallel to Murrell Street run to Main Street; thence run in a southwesterly direction along Main Street to McDonald Street; thence north and along McDonald Street run to Chaffee Street; thence run along Chaffee Street and across Cedar Street to a point that is on Minden Medical Center's northeast property line; thence northwesterly one loop deep and to a point on Minden Medical Center's north property line; thence southwesterly to West Union Street; thence southeasterly and along West Union Street one block deep; thence in a southwesterly direction and along lot lines to Pine Street; thence in a southeasterly direction and along Pine Street to a point that is one lot deep from the intersection of Monroe Street with Pine Street; thence in a

southwesterly direction and following lot lines run to the intersection of Dennis Street with Highway 80 (Shreveport Road), which is the point of beginning.

(b) The special taxing district shall be known as and is hereby designated the Downtown Development District of the City of Minden, hereafter referred to as the "district." See attachment "A."

(c) After the commission submitted to the city council appropriate proposals, an election was held at which time the property owners in the district voted for a two-mill assessment on all property situated within the district. The proceeds of this ad valorem tax shall be used solely and exclusively for the purposes and benefit of the district, and the proceeds may be expended by the commission for administration, operational expenses, acquiring property by purchase, donation, exchange, or otherwise as they deem appropriate but not by expropriation, or the retirement of bonds, or other evidence of indebtedness. The proceeds shall not be used for any motel or lodging facilities or industry which would compete with any existing such private enterprise in the district. Any property shall be disposed of only in accordance with the appropriate ordinance. The commission may also submit recommendations and proposals for the issuance of bonds or other evidence of indebtedness, which may be secured by all or part of the proceeds of ad valorem tax or ad valorem taxes in this article. The tax levy ordinance #765 was adopted by the city on November 4, 1991, to be in effect for ten years (from 1991--2000).

(d) The tax referred to in subsection (c) shall not be levied should the city fail to appropriate in any year a minimum of \$15,000.00 to be expended by the commission in the same manner as stated above. All services and programs to be provided to the district from the proceeds of the tax levy shall be in addition to the tax services, programs and projects which would normally be provided to the central business district by the city government either at present or in the future.

(Ord. No. 784, § 5, 2-1-93; Ord. No. 942, 1-8-08)

Editor's note: Attachment "A," referred to in subsection (b), is not included herein but is on file in the city hall.

Sec. 54-35. District commission.

(a) Designated governing body. The districts shall be governed by a commission, which is hereby designated as the Minden Historic Downtown Development/Residential District Commission.

(b) Composition. The commission shall be composed of eight members, all of whom shall be qualified voters of the city. Four members shall have their principal place of business or profession in, or own property in the historic downtown development district. Four members shall be residents of the Historic Residential District for three or more years and live in the district during their term on this commission. These members shall be appointed by the mayor, subject to city council approval.

(c) Term of office. Members of the commission shall serve for four-year terms each except that the terms of members of the first commission shall be staggered and both they and their successors shall serve for four-year terms thereafter. The commission members shall serve until his/her successor has been appointed and qualified. All successors shall be appointed in accordance with the above-noted procedure. Members may serve consecutive terms.

(d) Vacancies. Any vacancy which occurs prior to the expiration of the term for which a member has been appointed shall be filled by appointment in the same manner as the original appointment for the unexpired term.

(e) Recall. Any member may be recalled at any time by the governing body for gross inefficiency, fraud or study neglect, but only after an open hearing and upon notice specifying the complaint involved.

(f) Officers. The Minden Historic Downtown Development/Residential District Commission shall elect a chairman, vice-chairman and secretary from among its members. The terms of the office shall be one year, but any officer shall be eligible for re-election. The commission shall abide by its adopted rules and record all certificates of appropriateness, resolutions, transactions and determinations where applicable.

(g) Duties and functions. The commission will meet quarterly for regular business meetings. Meetings will also be called by the chairman when applications for certificates of appropriateness are to be considered. Meetings may be held at any time by the commission on the request of any of the eight members or on the call of the mayor. The secretary of the commission will record minutes on all meetings. Copies of said minutes will be submitted to the mayor. These minutes will contain a statement of current activities. The recording secretary will mail notice or call members informing them of upcoming meetings.

(h) Bylaws. The commission shall make such bylaws as it may deem necessary for the conduct of its affairs not inconsistent with the laws of the city and state, subject to the approval of the city council. The initial bylaws approved by the city council are attached to Ordinance No. 787 and are made a part of this article. Any change of bylaws shall be approved by the city council. Presence of four members of the commission at a meeting shall constitute a quorum. The commission shall meet quarterly. Special meetings may also be held at any time on the written request of any one of the seven members or on the call of the chairman of the commission or the mayor. The commission shall make a report on its recommendations and activities to the mayor and city council after every meeting. Upon written request, any owner of immovable property shall be furnished with a copy of the minutes of any particular meeting, containing the supporting or pivotal factors or considerations, shall be dated, and shall contain the individual vote of each member supporting same, the date of the meeting and the total members present.

(Ord. No. 784, §§ 6, 7, 2-1-93; Ord. No. 832, 10-6-97; Ord. No. 942, 1-8-08)

Sec. 54-36. Staffing.

The Minden Historic Downtown Development District manager shall serve as the manager for the Minden Main Street Project. The commission shall serve as the personnel committee for the city council in the event of a vacancy in the project manager's position and shall advertise for such, interview applicants, and recommend a selected applicant to present to the city council for its approval. The project manager is an employee of the city and subject to all rules and regulations of the city pertaining thereto.(Ord. No. 784, § 8, 2-1-93; Ord. No. 942, 1-8-08)

Sec. 54-37. Procedures.

When application for a regular building permit for any alteration, relocation or new construction in the historic district is made, the building inspector shall notify the commission and make available to it a copy of all required application materials submitted. No extra copies shall be required of any applicant for this purpose. The commission shall be allowed to meet with the applicant within ten days at a time and place acceptable to applicant to explain its recommendations on rehabilitation plans. If such a meeting cannot be scheduled for any reason, the commission can alternatively send a written, nonbinding proposal or recommendation to the applicant. The major focus of any recommendations for change or endorsement of plans as presented shall be to help property owners avoid any action which might tend to impede present or future federal tax benefits arising from location in the historic district. No special building permit or any other permit or application to the historical commission shall be required for any reason, and no regular building permit shall be denied or refused after the ten-day period because of any action or inaction of the district commission.

(Ord. No. 784, § 9, 2-1-93; Ord. No. 942, 1-8-08)

Sec. 54-38. Criteria to be used by the commission in making recommendations.

The criteria to be used by the district commission in making recommendations are as follow:

- (1) To the extent feasible with economic realities, efforts should be encouraged to provide compatible uses for buildings requiring minimal building, building site and environmental alteration.
- (2) Removal, destruction or alteration of original characteristics or unique architectural features of buildings should be discouraged.
- (3) Surface cleaning of structures by the gentlest means possible should be encouraged.
- (4) In a rehabilitation project, use of materials matching or compatible with those originally used in the building as to composition, design, color, texture and other visual qualities should be encouraged.
- (5) Contemporary design and alterations and additions to existing buildings should not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material and such design is compatible in size, scale, material and character to the property, neighborhood and environment.
- (6) In the case of new construction, compatibility with surrounding buildings in scale, size and materials should be encouraged.

(Ord. No. 784, § 10, 2-1-93; Ord. No. 942, 1-8-08)

Sec. 54-39. Termination.

This article shall automatically expire and be repealed 15 years following its enactment unless specifically continued by vote of the city council, following a public hearing with due notice, to all affected property owners; and the public hearing shall be preceded by publication in the city newspaper(s) on three separate occasions during the 30-day period

prior to the meeting, with the last publication being at least seven days before the meeting.

(Ord. No. 784, § 11, 2-1-93; Ord. No. 942, 1-8-08)

Sec. 54-40. Limitations of district commission.

Neither this article, nor any amendment thereto, shall empower the district commission or any other commission or board operating under the city council with the authority to issue or deny permits, or any other authorizations to change or alter property; nor shall this article empower the district commission or other boards to enact rules giving them the authority to require certain active steps be taken by building owners to conform to any policy or guidelines, herewith or hereafter created.

(Ord. No. 784, § 12, 2-1-93; Ord. No. 942, 1-8-08)

Sec. 54-41. Grandfather clause.

This article shall not apply to or affect churches or residences used or occupied as such, and presently located within the area designated as the historic district. Should a church or residence cease to exist on the site or lot where same is presently located for a period of one calendar year, then the site or lot shall come under the provisions of this article. For purposes of this section and this article, the word "site" or "lot" shall have the same meaning as that given the word "lot" in the zoning ordinance (appendix A to this Code of Ordinances).

(Ord. No. 784, § 13, 2-1-93; Ord. No. 942, 1-8-08)

Secs. 54-42--54-50. Reserved.

ARTICLE III. HISTORIC RESIDENTIAL DISTRICT

Sec. 54-51. In general.

Definition of the Minden Historic Residential District:

As stated by the United States Department of the Interior National Park Service National Register of Historic Places Registration Form.

The boundaries of the Minden Historic Residential District encompass 71 buildings, all but three of which are residences. Contributing elements range in date from c.1850 through 1942 and run the gamut stylistically from Greek Revival to Spanish Colonial Revival. The non-contributing element rate is 21 percent.

Located just north of the downtown, the nominated district has a very irregular street plan. The most important buildings tend to be concentrated on Broadway, which is definitely the city's grand residential rue. Lots along the boulevard are larger than elsewhere in the district, and houses are often set well back from the road. There are numerous mature trees, as is true of the district as a whole. About one-third of the historic houses on Broadway are two or two-and-a-half stories. Interspersed among the larger, more "up-market" residences are smaller, less pretentious houses. At the southern end of Broadway, near the downtown, are two of the district's non-residential buildings. One is

the impressive Gothic Revival Minden Presbyterian Church (1923), and the other is a very historic looking Gothic Episcopal Church built in 1950. The remaining non-residential building is located at 521 East & West Street, a two story stucco Spanish Colonial Revival house (1920's) with a red tile roof which is presently the Webster Parish Library.

For the most part, the other streets in the district have small lots, with houses more densely packed. As is the case with Broadway, landmarks are scattered among more typical houses.

The significance of the area:

The Minden Historic Residential District is locally significant in the area of architecture because it is easily the most impressive historic residential area in Webster Parish. It achieves this distinction because of the number, range and quality of styled historic residences.

Except for Minden and examples of log construction, Webster Parish's residential patrimony is undistinguished. The other nine incorporated communities, all quite small, have few styled historic residences. A typical community has a handful of very generic Queen Anne cottages and bungalows sprinkled among plain historic cottages and non-historic houses.

Against this background, the architectural significance of the Minden Historic Residential District is evident to even the most casual observer. Not only does it represent the parish's only concentration of styled residences, but examples range from the Greek revival to 1920's and '30's styles such as Spanish Colonial Revival. Indeed, almost all major residential styles within this time frame are represented, including Greek revival, Italianate, Queen Anne Revival, Colonial Revival, Bungalow/Craftsman, and Spanish Colonial Revival.

The Minden Historic Residential District is also noteworthy for the number and quality of landmarks within its boundaries. About one-third of the historic buildings are of sufficient quality to be individually eligible for the Register within the context of the parish, and in some cases, a wider regional context. Many of these are mentioned specifically in the narrative portion of Part 7 of the National Register Application. As noted in 1992, three of the buildings in the district are already listed individually on the Register for their architectural significance.

These boundaries were drawn to encompass the concentration of the architecturally significant buildings. The Minden Historic Residential District is further described as follows:

MINDEN HISTORIC RESIDENTIAL DISTRICT Legal Description

Begin at the Southwest corner of Lot No. 165, Williamson Jones Map of Minden, Section 22, Township 19 North, Range 9 West, Minden, Webster Parish, Louisiana for the point of beginning, said corner being the intersection of the North Right-of-Way line of Broadway Street and the East Right-of-Way line of Second Street; thence run in a Northwesterly direction along the East Right-of-Way line of Second Street a distance of 398 feet, more or less; thence run in a Westerly direction along the North Right-of-Way line 96 feet, more or less, to the East Right-of-Way line of McDonald Street; thence run in a Northerly direction along the East Right-of-Way line of McDonald Street 80 feet,

more or less, to the South Right-of-Way line of Short Street; thence run in a Northeasterly direction along the South Right-of-Way line of Short Street 210 feet, more or less, to the West Right-of-Way line of Lewisville Road; thence continue in a Northeasterly direction 50 feet, more or less, to the East Right-of-Way line of Lewisville Road; thence run in a Northerly direction along the East Right-of-Way line of Lewisville Road 617 feet, more or less, to the South Right-of-Way line of East & West Street; thence run in a Northerly direction 30 feet, more or less, to the intersection of the North Right-of-Way line of East & West Street and the East Right-of-Way line of Lewisville Road; thence run in a Westerly direction 60 feet, more or less, to the intersection of the West Right-of-Way line of Lewisville Road and the North Right-of-Way line of East & West Street; thence continue in a Westerly direction along the North Right-of-Way line of East & West Street 364 feet, more or less, to the East Right-of-Way line of Fort Avenue; thence run in a Westerly direction 33 feet, more or less, to a point on the West Right-of-Way line of Fort Avenue; thence run in a Southeasterly direction along the West Right-of-Way line of Fort Avenue 148 feet, more or less, to the Southeast corner of John C. Campbell property, said corner being the North Right-of-Way line of East & West Street; thence run in a Southwesterly direction along said North Right-of-Way line 149 feet, more or less, to the Southwest corner of John C. Campbell property; thence run in a Northwesterly direction along the West line of John C. Campbell property 86 feet, more or less, to the South line of Richard C. Baker property; thence run in a Southwesterly direction along the South line of said property 69 feet, more or less, to the Southwest corner of Richard C. Baker property; thence run in a Northwestelry direction along the West property lines of Richard C. Baker, Julius L. Cassels, Maurie W. Wise, and Sharon Graves 420 feet, more or less, to the Northwest corner of Sharon Graves property; thence run in an Easterly direction along the North line of Sharon Graves property 186 feet, more or less, to the West Right-of-Way line of Fort Avenue; thence run West 30 feet, more or less, to the East Right-of-Way line of Fort Avenue; thence run in a Northwestelry direction along said Right-of-Way line 80 feet, more or less to the Northwest corner of Shawn Lewis property; thence run Northeasterly along the North line of Shawn Lewis property 150 feet, more or less, to the Northeast corner of Shawn Lewis property; thence run Southeasterly along the East line of Shawn Lewis property 155 feet to the North line of Frances L. Irving property; thence run in a Northeasterly direction along said North line 154 feet, more or less, to the West line of Melinda A. Davidson property; thence run South along said property line 65 feet, more or less, to the Southwest corner of Melinda A. Davidson property; thence run East along the South line of Melinda A. Davidson property 6 feet, more or less, to the Northwest corner of Gary S. Holloway property; thence run South along the West line of said property 105 feet, more or less, to Gary S. Holloway corner; thence run East along said property line 24 feet, more or less, to Gary S. Holloway corner; thence run South along said property line 39 feet, more or less, to the Northwest corner of William E. Green property; thence run in a Northeasterly direction along William E. Green property line 75 feet, more or less, to the Northeast corner of William E. Green property; thence run North along the west line of R. Scott McCullough property 30 feet, more or less, to the Northwest corner of R. Scott McCullough property; thence run in a Northeasterly direction along the North line of R. Scott McCullough property 95 feet, more or less, to the West Right-of-Way line of Lewisville Road; thence run in an Easterly direction 60 feet, more or less, to the Southwest corner of Steven

Maddry property; thence run in a Northerly direction along the East Right-of-Way line of Lewisville Road 245 feet, more or less, to the Northwest corner of Gary G. Daniel property; thence run in an Easterly direction along the Gary G. Daniel property line 265 feet, more or less, to the Northeast corner of Gary G. Daniel property; thence run South along the East line of Gary G. Daniel property 55 feet, more or less, to the North Right-of-Way line of Webb Court; thence run West along said North Right-of-Way line 6 feet to the West Right-of-Way line of Webb Court; thence run South along the West Right-of-Way line of Webb Court 185 feet, more or less, to the Southeast corner of Steven Maddry property; thence run in an Easterly direction 30 feet, more or less, to the Southwest corner of Lot No. 1, Webb Place Addn.; thence run East along the South property line of Lot Nos. 1, 2, 3, & 4, Webb Place Addn. 283 feet, more or less, to the West Right-of-Way line of Webb Court; thence run South 32 feet, more or less, along said West Right-of-Way line of Webb Court; thence run in an Easterly direction 30 feet, more or less, to the Northwest corner of Johnny L. Sullivan property; thence run East along the North property lines of Johnny L. Sullivan and James Croad 145 feet, more or less, to the West Right-of-Way line of Buchanan Street; thence run East 20 feet, more or less, to the East Right-of-Way line of Buchanan Street; thence run North along the said East Right-of-Way line 120 feet, more or less, to the South Right-of-Way line of Ferguson Street; thence run East along said South Right-of-Way line 231 feet; more or less; thence run North 30 feet, more or less, to a point on the North Right-of-Way line; thence run North 87 feet, more or less, to the Southwest corner of Wilburn M. Lowe, III property; thence continue North along the West line of Wilburn M. Lowe, III property 55 feet, more or less, to the South line of Gregory A. Lee property; thence run West along Gregory A. Lee property 80 feet, more or less, to the Southwest corner of Gregory A. Lee property; thence run North along the West line of Gregory A. Lee property 90 feet, more or less, to the South line of Howard G. Spillers property; thence run West along the South line of Howard G. Spillers property 8 feet, more or less, to the Southwest corner of Howard G. Spillers property; thence run North along the West line of Howard G. Spillers property 120 feet, more or less, to the Northwest corner of Howard G. Spillers property; thence run East along the North line of Howard G. Spillers property 300 feet, more or less, to the West Right-of-Way line of Elm Street; thence run in a Northeasterly direction 65 feet, more or less, to the Southwest corner of Lot No. 7, Blk. 1, Goode Annex; thence run East along the South line of said Lot No. 7 a distance of 158 feet, more or less, to the West line of Louis LoConte property; thence run South along the West line of said property 40 feet, more or less, to the Southwest corner of Louis LoConte property; thence run East 65 feet, more or less, to the West line of Jacob E. Patterson property; thence run South along the West line of said property 35 feet, more or less, to the Southwest corner of Jacob E. Patterson property; thence run East along the South line of Jacob E. Patterson property 100 feet, more or less, to the West line of Lot No. 5, Blk. 1, Goode Annex; thence run South along the West line of Lot Nos. 5 and 9 a distance of 200 feet, more or less, to the Southwest corner of said Lot No. 9; thence run East along the South line of Lot Nos. 9, 10, 11 & 12 a distance of 198 feet, more or less, to the Northeast corner of Craig Farley property; thence run South along the East line of said property 140 feet to the Northeast corner of Lot No. 4, Blk. 21, Goode Annex; thence run West along the North line of said Lot Nos. 4, 5, 6 & 7 a distance of 200 feet, more or less, to the Northwest corner of said Lot No. 7; thence run South along the West line of said Lot No. 7 a distance of 112 feet,

more or less, to the Northeast corner of Clyde E. Frizzelle, II property; thence run South along the West line of said property 180 feet, more or less, to the North Right-of-Way line of Homer Road; thence run in a Northwesterly direction 115 feet, more or less, along the North Right-of-Way of Home Road; thence run in a Southerly direction 60 feet, more or less, to the Northeast corner of Billie L. Hensley property; thence run in a Southerly direction along the East line of said property 110 feet, more or less, to the Southwest corner of Bridges Surgical Clinic, Inc. property; thence run in a Southeasterly direction 57.2 feet; thence run in a Southwesterly direction 26 feet, more or less, to the East line of Phillip D. Demaline property; thence run in a Southeasterly direction along the East line of said property 37 feet, more or less, to the Southeast corner of Phillip D. Demaline property; thence run in a Southwesterly direction along the South property lines of Phillip D. Demaline, Byron L. Rainer and David P. Jones 290 feet, more or less, to the East line of Dr. Carl H. Hines property; thence run in a Southeasterly direction along said East line 90 feet, more or less, to the Southeast corner of Dr. Carl H. Hines property; thence run in a Southwesterly direction along the South lines of Dr. Carl H. Hines property and Minden Presbyterian Church property 190 feet, more or less, to the East Right-of-Way line of Sylvan Street; thence run in a Northwesterly direction along the East Right-of-Way line of Sylvan Street 100 feet, more or less; thence run in a Southwesterly direction 25 feet, more or less, to the Southeast corner of Charles A. Rathbun, Jr. property; thence run in a Southwesterly direction along the South property lines of Charles A. Rathbun, Jr. and Luther W. Moore 395 feet, more or less, to the Southwest corner of Luther W. Moore property; thence run in a Northwesterly direction along the West line of Luther W. Moore property 80 feet, more or less, to the Southeast corner of Timothy Talbert property; thence run in a Southwesterly direction along the South property lines of Timothy Talbert and George French, III 175 feet, more or less, to the East Right-of-Way line of Fourth Street; thence run in a Northwesterly direction along said East Right-of-Way line 35 feet, more or less, thence run in a Southwesterly direction 30 feet, more or less, to the Southeast corner of Dennis A. Palmer property; thence run in a Southwesterly direction along the South line of Dennis A. Palmer property 82 feet, more or less, to the East line of David Williams property; thence run in a Southeasterly direction along said East property line 136 feet, more or less, to the Southeast corner of David Williams property; thence run in a Southwesterly direction along the South line of David Williams property 76 feet, more or less, to the East Right-of-Way line of Third Street; thence run in a Northwesterly direction along said Right-of-Way line 61 feet; thence run in a Southwesterly direction 30 feet, more or less, to the Southeast corner of R. Harmon Drew, Jr. property; thence run in a Southwesterly direction along the South line of R. Harmon Drew, Jr. property 80 feet, more or less, to the Southwest corner of said property; thence run in a Northwesterly direction along the West line of R. Harmon Drew, Jr. property 265 feet, more or less, to the South Right-of-Way line of Broadway Street; thence run in a Northwesterly direction 150 feet, more or less, to the Southeast corner of Lot No. 165, Williamson Jones Map of Minden; thence run in a Southwesterly direction along the South line of said Lot No. 165 a distance of 80 feet, more or less, to the point of beginning.

(Ord. No. 938, 10-29-07; Ord. No. 942, 1-8-08)

Sec. 54-52. Minden Historic Downtown Development/Residential District Commission established.

There is hereby created a district commission to be known as the Minden Historic Downtown Development/Residential District Commission.
(Ord. No. 938, 10-29-07; Ord. No. 942, 1-8-08)

Sec. 54-53. Purpose.

The purpose of the Minden Historic Downtown Development/Residential District Commission shall be to endorse plans as presented, or, when deemed necessary, to make recommendations for changes to property owners upon all proposed exterior alterations, relocations, and new construction within the boundaries of the designated residential district listed in the National Register of Historic Places.
(Ord. No. 938, 10-29-07; Ord. No. 942, 1-8-08)

Sec. 54-54. Funding.

The operational cost of this commission shall be the responsibility of the Minden Historic Residential District Association. Any needed expenditures will be reported to the president of the Minden Historic Residential District Association prior to the money being spent.
(Ord. No. 938, 10-29-07; Ord. No. 942, 1-8-08)

Sec. 54-55. Minden Historic Downtown Development/Residential District Commission members.

The district shall be governed by a commission, which is hereby designated as the Minden Historic Downtown Development/Residential District Commission as defined in article II, section 54-35.

- (1) District commission composition. The commission shall be composed of five members, all of whom shall be residents of the Historic Residential District for three or more years and live in the district during their term on this commission. These members shall be appointed by the mayor, subject to city council approval, giving due consideration to the recommendations of the Minden Historic Residential District Association.
- (2) Term of office. Members of the commission shall serve for four-year terms each except that the terms of members of the first commission shall be staggered and both they and their successors shall serve for four-year terms thereafter. The commission members shall serve until his/her successor has been appointed and qualified. All successors shall be appointed in accordance with the above-noted procedure. Members may serve consecutive terms.
- (3) Vacancies. Any vacancy which occurs prior to the expiration of the term for which a member has been appointed shall be filled by appointment in the same manner as the original appointment for the unexpired term.

(4) Recall. Any member may be recalled at any time by the governing body for gross inefficiency, fraud or study neglect, but only after an open hearing and upon notice specifying the complaint involved.

(5) Officers. The Minden Historic Residential District Commission shall elect a chairman, vice-chairman and secretary from among its members. The terms of the office shall be one year, but any officer shall be eligible for re-election. The commission shall abide by its adopted rules and record all certificates of appropriateness, resolutions, transactions and determinations.

(6) Duties and functions. The commission will meet quarterly for regular business meetings. Meetings will also be called by the chairman when applications for certificates of appropriateness are to be considered. meetings may be held at any time by the commission on the request of any of the five members; on the call of the President of the Minden Residential Historic District Association or by the Mayor of Minden.

The secretary of the commission will record minutes on all meetings. Copies of said minutes will be submitted to the mayor. These filings and reports shall be kept by the secretary of the commission with copies given to the mayor's office. These reports will contain a statement of current activities. The recording secretary will mail notice or call members informing them of upcoming meetings.

(Ord. No. 938, 10-29-07; Ord. No. 942, 1-8-08)

Sec. 54-56. Bylaws.

The Historic Downtown Development/Residential District Commission shall make such bylaws as it may deem necessary for the conduct of its affairs not inconsistent with the laws of the city and state.

(Ord. No. 938, 10-29-07; Ord. No. 942, 1-8-08)

Sec. 54-57. Procedures.

(a) When application for a regular building permit for any exterior alteration, addition, relocation or new construction within the boundaries of the Minden Historic Residential District Association is made, the city inspector/building official shall notify the Minden Historic Downtown Development/Residential District Commission and make available to it a copy of all required application materials submitted, including a copy of completed certificate of appropriateness application given to and completed by building permit applicant.

Any proposed exterior changes not governed by a regular building permit shall require an approved certificate of appropriateness.

(b) The commission shall hold a public hearing upon receipt of each application for a certificate of appropriateness affecting property under its control, except in those instances where the commission has determined that the application of the certificate of appropriateness is not a substantial change and further the commission has determined that the certificate complies with the standard adopted by the commission. Notice of the time and place of the hearing shall be given by publication in the form a legal advertisement appearing in the Official Journal of the City of Minden at least seven days before the public hearing and by posting of such notice on or near the main entrance of any hall or room where the commission usually meets.

(c) The commission shall act upon an application within 45 days after receiving the application, and shall give written notice of their decision to the applicant setting forth the reason therefore. Evidence of approval shall be by certificate of appropriateness issued by the commission.

(d) The commission shall keep a written record of all applications of certificate of appropriateness and of all its actions under this section.

(e) In the event the application is denied, the applicant shall have 30 days to file a written appeal addressed to the city inspector/building official who will immediately upon receipt of the appeal, notify the mayor who will notify the city council. Said appeal shall then be included on the agenda at the next council meeting. The governing body shall have the right to reverse, change, or modify any decision of the commission by a majority vote of its members.

(f) Any person or persons aggrieved by the decision of governing body affecting said Historical Preservation District shall have the right to file a civil suit within 30 days from date of decision in a court of competent jurisdiction, with the right to stay orders and injunctive relief provided the situation warrants it.

(g) The commission shall have the right to make such recommendations for changes and modifications as it may deem to be necessary in order to enable the applicant to meet with its requirements.

(h) A representative from this commission shall be invited to any city planning meeting that involves the Minden Historic Residential District. The commission would act as a liaison with the planning commission, city council and the mayor when problems or construction issues arise in the historic residential district.

(Ord. No. 938, 10-29-07; Ord. No. 942, 1-8-08)

Sec. 54-58. Construction of new homes and exterior renovations and additions to existing homes.

In considering the issuance of the certificate of appropriateness, the commission will ascertain that the new home construction will be a single family property. Multi-family occupancies will not be approved and are thereby prohibited. New home construction shall be compatible with the character and architecture of those homes presently in the district, i.e. Bungalow, Victorian, Colonial, Greek Revival, etc. Setback, bulk, color, and building materials should be complementary to those homes already in the district. All accessory buildings, garages and other additions shall incorporate a design including materials and colors similar to the dwelling units.

(Ord. No. 938, 10-29-07; Ord. No. 942, 1-8-08)

Sec. 54-59. Exterior colors.

Any change in exterior colors shall require an approved certificate of appropriateness. Exterior color choices for any new construction or building or structure moved into the district shall be historically appropriate and be harmonious with the rest of the buildings and structures in the district. All current buildings and structures will be grandfathered in as far as exterior color is concerned. Any change in the exterior color of a current

building or structure shall be historically correct exterior colors and harmonious with the neighborhood.

(Ord. No. 938, 10-29-07; Ord. No. 942, 1-8-08)

Sec. 54-60. Demolition.

The commission shall not approve applications for demolition without reviewing at the same time post-demolition plans. The commission shall have the authority to recommend denial of applications for demolition within the jurisdiction of the designated Historic Residential District. When said demolition plans contemplate new construction, the applicant shall provide the commission with plans for this purpose, which shall include, but shall not be restricted to, project concept, site plans and completed working drawings. If the commission recommends approval of the demolition, a permit from the commission shall not be given until all plans for the site have received approval from all appropriate city commissions, departments and agencies.

(Ord. No. 938, 10-29-07; Ord. No. 942, 1-8-08)

Sec. 54-61. Demolition by neglect.

Any home or property located in the designated Historic Residential District shall abide by the same regulations for demolition or condemnation as used in the city inspector's office for all other areas of the city, namely Louisiana Revised Statute 33:4762.

(Ord. No. 938, 10-29-07; Ord. No. 942, 1-8-08)

Sec. 54-62. Type of and use of home.

Regarding the current zoning of this district, which is single-family residential, the commission shall keep the National Register of Historic Places' designated Minden Historic Residential District protected from commercial business encroachment. This district shall remain single-family residential. Therefore, all retail businesses would be prohibited in the district. In addition, there shall be no commercial development of the property located in this district. Any resident with an office or business in their residence, wherein clients do not visit, does not have to have their property re-zoned, however, an occupational license is necessary.

All businesses currently operating in the Historic Residential District would be grandfathered in. When they cease to exist and the business is closed for any reason, the property would revert back to the control of the Historic Downtown Development/Residential District Commission.

The Webster Parish Library located at 521 East & West Street shall remain in the Historic Residential District, but will not be governed by the Historic Downtown Development/Residential District Commission. If this property ceases to be the Webster Parish Library, the property will then be governed by the Historic Downtown Development/Residential District Commission.

In addition, the operation of approved bed and breakfast businesses and tea rooms are considered acceptable to the historic residential district and upon meeting all city criteria shall receive the endorsement of the commission. Any signs displayed would need to be

approved by the Historic Downtown Development/Residential District Commission in advance.

(Ord. No. 938, 10-29-07; Ord. No. 942, 1-8-08)

Sec. 54-63. Commission enforcement powers.

(a) The Historic Downtown Development/Residential District Commission shall have the power to institute suit in any court of competent jurisdiction, to prevent any unlawful action in violation of the provisions of this article.

(b) Any owner, agent, lessee, or other person acting for or in conjunction with him who shall violate this ordinance shall be fined not less than \$50.00 nor more than \$100.00 for each violation except as hereinafter provided. Any owner, agent, lessee, or other person acting for or in conjunction with him, who shall demolish a structure or edifice without having received a certificate of appropriateness may be fined a single fine of not less than \$1,000.00 nor more than \$10,000.00. Each day that a violation continues shall constitute a separate offense.

(Ord. No. 938, 10-29-07; Ord. No. 942, 1-8-08)