

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: SEPTEMBER 5, 2007**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: DIR-23659 - APPLICANT/OWNER: BLACK BROTHERS COURT, LLC**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL, subject to:**

**Planning and Development**

1. The applicant shall pay a fee to the City through the Planning and Development Department of \$4,950.00 to operate the water feature through 12/31/08. This fee shall be paid within 30 days of the approval of this application. For subsequent years in which Drought Watch or Drought Alert has been declared an annual renewal fee of \$250.00 shall be paid.
2. The applicant shall post and maintain a sign located at the water feature indicating that an exemption has been received allowing its operation.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a Request to allow the operation of a water feature which totals 495 square feet at an existing single family residential subdivision on 4.18 acres at 8311 Black Brothers Court. The activation of this water feature will not place an undue hardship on the Southern Nevada Water Authority or the City of Las Vegas. The applicant shall be in compliance with Title 14 regarding water features. Approval of this request is recommended.

**ANALYSIS**

The applicant is requesting to activate a 495 square-foot Water Feature near the entrance to their subdivision. Under current drought conditions a maximum of 25 square feet is permitted without receiving an exemption. This Water Feature exceeds the maximum permissible area by 470 square feet.

Per Title 14.11.190 an initial fee of \$10 per square-foot of surface area shall be applied to the subject water feature. The initial fee shall be paid within 30 days of approval of this application. Additionally, an annual renewal fee of \$250 shall be applied. Per Title 14.11.190 an annual renewal fee is due in years when either a Drought Watch or Drought Alert has been declared. For applications approved in the last six months of the calendar year, the annual renewal fee shall be due at the beginning of the second succeeding calendar year. In this case that due date is January 1st, 2009, if Drought Watch or Drought Alert is declared.

It is also noted that in order to inform the public that an exemption has been received for the subject Water Feature, the applicant shall post a sign adjacent to the subject Water Feature as such.

**FINDINGS**

The activation of the 495 square-foot Water Feature will not place an undue hardship on the Southern Nevada Water Authority or the City of Las Vegas. The applicant shall be in compliance with Title 14 regarding Water Features. Approval of this request is recommended.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** N/A

**ASSEMBLY DISTRICT** N/A

**SENATE DISTRICT** N/A

**NOTICES MAILED** N/A

**APPROVALS** 0

**PROTESTS** 0