

SEMSWA BOARD MEETING DISCUSSION OUTLINE

March 17, 2009

Re: Cherry Creek Farm Filing #5
Parcel #2075-22-4-11-089
Parcel #2075-22-4-11-2005

- Cherry Creek Farm Filing #5 (CCF) consisting of 87 single family homes was developed and built under a single Planned Unit Development (PUD).
- Property taxes are billed to individual owners, with common area taxes, including their impervious areas, being share equally among those owners and their taxes. No taxes are billed to CCF.
- SEMSWA's basis for storm water fees: "The stormwater fee is based on the amount that each property contributes to stormwater runoff. Aerial photos and Arapahoe County Assessor records are used to determine the Impervious Area on each parcel. This method provides an equitable assignment of costs because property owners pay fees in proportion to the demand placed on the drainage system by their property's runoff."
- CCF is currently being charged SEMSWA fees based on the structure for "non-single family residential."
- 87 homeowners at CCF are also being billed SEMSWA fees, but under the "single family detached" fee structure.
- The impervious area of the common area of the community is approximately 96,500. The impervious area of the 87 homes is approximately 91,350. The total actual impervious area would be approximately 187,850.
- CCF is being billed for 96,500 square feet. The 87 homes are being billed for up to 174,000 square feet. The total, 274,500 square feet is in excess of the actual impervious area by almost 85,000 square feet.
- We have attempted to resolve this issue via the Factual Dispute Resolution Process for Incorrect Impervious Area and Consolidation of Contiguous Parcels and have been advised that correction is not necessary administratively, thus we request consideration by the SEMSWA Board to adjust current policies or to set new policy.
- CCF requests that SEMSWA consider an alternative fee structure for this property or that the property be billed under only one of the current fee structures so that the appropriate actual impervious area is being billed, to insure the SEMSWA policy of equitable assignment of costs in proportion to the demand placed on the drainage.