

SAVANNAH LANDINGS

HOMEOWNERS' ASSOCIATION, INC.

MARKUP #1 ->

ISSUE #1

14. All plantings in decorative pots must be placed in a front yard bed, or at an owner's entryway on the cement landing. All dwellings will be permitted to have only three decorative pots. Taller decorative potted plants are permitted in the back yard only, provided they do NOT interfere with landscaping maintenance. NO decorative pot, in front or back, is permitted to be placed on the sod/lawn. Shepherd's hooks are permitted in a front yard bed only. Artificial plants are NOT allowed except within the roofed front entryway.
15. All landscape lighting must be low voltage or solar lighting and must not interfere with lawn maintenance.
16. Only removable storm panels may be installed when there is a threat of a hurricane in our area. Storm panels must be removed within three days of an all clear issued by the National Weather Service.
17. Only white motorized roll-down security shutters are permitted in the rear of the home and should not be seen from the street. An owner must have another window or door located in the same room to egress through in case of an emergency.
18. Satellite dishes must be NO larger than 39 inches in diameter and must be installed by a professional installer from the satellite dish company. Evidence of the installation by a professional installer must be provided to the ACC after the work has been completed. It is preferred that the satellite dish be installed on the fascia at the rear of the home. If reception cannot be received by placing the satellite dish on the fascia, then the satellite dish may be installed upon the roof, and a sealant must be used around the screws to ensure protection from water intrusion. Homeowners will be responsible for any damage or leaks caused by the installation of the satellite dish.
- ~~19. Solar attic fans are NOT permitted because new roofs have a built-in ventilation system.~~
20. NO stand-alone structures of a temporary or permanent nature such as trailers, tents, gazebos, barns, sheds, etc. are permitted.
21. NO temporary or permanently installed structures and expansions or recreational equipment including play yards (swing sets, slides, trampolines, etc.) are permitted.

LANDSCAPING

Homeowners must submit an Alteration Application (Exhibit A) and supporting documentation as applicable in writing to the Association for any landscaping alteration, including removal or replacement of living, dead or diseased plants to the exterior of your lot (at homeowner's expense). Management sends the Alteration Application request to the ACC to make a decision at their next scheduled meeting. The ACC generally meets monthly and all Owners are welcome to attend. Approval by the ACC must be granted before any work begins. If your application is disapproved/denied, you will receive information as to why the decision was made.

1. **SHRUBBERY, HEDGES, TREES AND OTHER PLANTINGS:** If an owner wishes to plant shrubbery, hedges, trees and other plantings on their lot, the owner must submit an Alteration Application, a proposal which identifies Florida Friendly

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 18 (p. 3): Blanket ban, sub-1-meter size cap, or prior approval requirement on satellite dishes or antennas is preempted by federal FCC OTARD regulations.

Statutory / Legal Reference: 47 C.F.R. § 1.4000 (FCC OTARD Rule)

Statutory Comparison: The FCC Over-the-Air Reception Devices rule (47 C.F.R. § 1.4000, as expanded by the 2021 OTARD Report and Order, FCC 21-10) preempts community association restrictions that prohibit, charge application fees for, require prior architectural approval for, or impose sub-1-meter (39.37-inch) diameter caps on the installation, maintenance, or use of television broadcast antennas, direct-broadcast satellite dishes 1 meter or less in diameter, and fixed wireless broadband antennas (including hub and relay antennas) situated on property within the exclusive use or control of the owner/tenant.

CURRENT WORDING IN DOCUMENT:

Satellite dishes must be NO larger than 39 inches in diameter and must be installed by a professional installer from the satellite dish company. Evidence of the installation by a professional installer must be provided to the ACC after the work has been completed.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Provided that this restriction shall not prohibit or require prior approval for any owner or occupant installing an antenna, fixed wireless broadband hub/relay device, or satellite dish of one meter (39.37 inches) or less in diameter within areas under the owner's or occupant's exclusive use or control, in accordance with FCC OTARD regulations (47 C.F.R. § 1.4000).