



Sawgrass Players Club Association, Inc. Architectural Control Committee
Architectural Control Policy and Procedures
Updated 2025

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. VII (p. 1): 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 not exceeding 39" in diameter. REDLINE Doc #35487723 V3 vs. V2
ACTIVE:35567047.1 * Any other improvement or modification which does not require a building permit, and which is not included under the authority of the ACC as set forth below.

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).

Authority of the Master Acc and the Various Arbs

Article VII of the Master Covenants provides that no structure, improvement, addition, alteration, or modification to an existing improvement may be made until approved in writing as to the harmony of external design, location in relation to surrounding structures and topography by the ACC. (See page 9 of Declaration of Covenants).

The Master Covenants also provide that a subassociation's ARB has review authority when the Master Association Board of Directors or the ACC determines that any proposed improvement or modification will not have an adverse impact upon any area outside the authority of the subassociation and the proposed improvement or modification will not affect subdivision or condominium buffer areas, entrance ways or visibility from street intersections or from golf courses.

The Covenants also provide "The approval or disapproval of the Association shall be dispositive and shall take precedence over the approval or disapproval, if any; of any property owner's association for the area in which any such portion of the property is located."

The Master Association Board has determined that the following types of improvements will not require a building permit from St. Johns County and, unless the proposed improvement or modification affects buffer areas, entrance ways or visibility from street intersections or from golf courses, the approval or disapproval of the sub-association's ARB shall be dispositive.

The Homeowner Associations ARBs are responsible for:

- Mailboxes
- Banners
- Recreational structures such as backboards, swings, slides, playhouses, etc.
- Changes in exterior paint colors
- Awnings, shutters, outside lighting
- Significant landscape changes (other than small plantings or annuals)
- Fencing
- Screen enclosures that do not affect the footprint of the house.
- Screen walls.
- Landscape devices such as, but not limited to, fountains.
- Satellite dishes not exceeding 39" in diameter.

ISSUE #1

REDLINE Doc #35487723 V3 vs. V2
ACTIVE:35567047.1