

MARKUP #1 ->

- All new fences must have a gate or removable fence section where the fence meets the building or leave a gap of at least four inches between the fence and the building, to facilitate termite fumigation.
 - Fence must allow access to water shutoff valve.
- Fences must be maintained and in good repair. The board may require removal or upgrade of any wood fence as the fence ages if not kept in good repair. A thirty-day notice will be given.
- No temporary fencing or other enclosures may be placed in a yard.
- Items hanging over fences (e.g. towels, clothes, rugs, bedding, mops, etc.) are prohibited.

Grounds

- Anything added to the common areas must be approved by the Board in advance.
- No large toys or party equipment are permitted outside of a unit. Examples of prohibited items include, without limitation, slides, moonwalks, bouncers, and dunk tanks.
- No fireworks except as specifically allowed by Florida Statutes.
- No firearms, air rifles, air pistols, BB guns, pellet guns, spring guns, bows and arrows, crossbows, slings, or any other projectile or thrown weapons may be used or displayed outside of a home.
- No person shall ride a bicycle, skateboard, hover board, scooter, coaster, or other similar device on any sidewalk. The children’s play area (former tennis court) is the designated area for this type of activity.

Gutters

- No new gutters will be installed by the Grove HOA nor allowed by any owner/resident after September 1, 2025. All previously installed gutter systems installed by the Grove HOA, all continue to be maintained by the Grove HOA. All owner installed gutter systems prior to this mandate, shall be maintained in functional and good condition by the current owner. Any owner installed gutter system found to be in poor condition, in need of repair or replacement shall be responsible for the cost of maintenance by a board approved contractor.

Patios/Porches

- No toys, bikes, scooters, strollers, etc. are to be left in a visible location; neatly stored in an ENCLOSED patio/board approved enclosure is acceptable.
- No mops, brooms, rugs or trash are to be left in a visible location.
- Only patio furniture, flowerpots, plant stands, and approved deck boxes are permitted on the front porch and back patio.
- No tents, canopies, or umbrellas allowed without prior board approval and inspection.
- Barbecue grills are only allowed on the back patio.

ISSUE #1

Satellite Dishes/Antennas/Air Conditioner Units

- No one is allowed on the roofs except contractors with prior Board approval. There is a list of approved contractors on the [HOA website](#); additional contractors may be added by providing their license and insurance information.
- Satellite dishes and antennas are permitted but can only be placed on the roof after Board approval is given. They must be anchored to the Air Conditioner platform and cannot be bolted to the roof. Current satellite dishes and antennas must be maintained by the owner. After September 1, 2025, no new satellite dishes and antennas will be permitted.
- Any damage to the roof or other property caused by any satellite dish, antenna, or Air Conditioner unit or the installation thereof will be the owner’s responsibility.
- ~~All cable/internet, etc. wiring must be black and concealed.~~

Screen Enclosures

- Screen enclosure plans must be submitted to the Board and/or Property Manager for approval prior to construction.

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. i (p. 4): 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/Antennas/Air Conditioner Units No one is allowed on the roofs except contractors with prior Board approval. There is a list of approved contractors on the HOA website; additional contractors may be added by providing their license and insurance information.

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).