



DESIGN & MAINTENANCE STANDARDS
EAGLE WATCH HOMEOWNERS' ASSOCIATION, INC.

LAST DATE OF REVISION: January 21, 2026

All exterior modifications to a structure or property require explicit written approval from the ACC and Board of Directors.

- MARKUP #1 ->
- ISSUE #1
- i. Plans for proposed swimming pools, hot tubs, lap pools, and spas including surrounding decks, fencing, mandatory screening, and landscaping must be submitted in their entirety for approval before any clearing, grading or construction commences. Failure to submit complete plans will result in an automatic disapproval of the Modification Request.
 - ii. Above ground pools will not be approved.
 - iii. Swim spas are considered pools for fencing purposes and will be required to meet county fencing guidelines for pool fencing.
 - iv. Fencing for Pools/Spas:
 - 1. All fences around swimming structures must at a minimum comply with Cherokee County Health Department guidelines for swimming pool enclosures.
 - 2. The HOA reserves the right to implement fencing standards for swimming pool enclosures that are more restrictive than Health Department requirements.
 - 3. Please refer to Appendix B of these Design Standards for fencing guidelines.
 - v. Failure to execute pool projects completely, including all landscaping and screening, is subject to daily fines until the project is complete.
- o. Antennae.

 - i. No exterior television or radio antennae or satellite dish greater than one (1) meter in diameter or receiver of any sort shall be placed, allowed or maintained upon any portion of a Structure or Lot without prior written approval by the ACC. No antennae shall be installed or used for the purpose of transmitting electronic signals.
 - ii. Satellite dishes/antennas for television or internet service one (1) meter or less in diameter may be installed without seeking ACC approval provided they are placed in a screened location, so they are not visible from any roadway or neighboring property. Requests for exceptions to this requirement will be granted only if it can be demonstrated that such placement would impair reception.
 - iii. Any satellite dish no longer in use must be completely removed from the property, including all mounting hardware and external wiring.
- p. Mailboxes.
- i. All mailboxes must be a black standard U.S. Postal Office mailbox, size 1 1/2.
 - ii. All mailboxes must be mounted on the standard post as approved by the ACC.

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 3 (p. 12): 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:

o. Antennae. i. No exterior television or radio antennae or satellite dish greater than one (1) meter in diameter or receiver of any sort shall be placed, allowed or maintained upon any portion of a Structure or Lot without prior written approval by the ACC.

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).