

Pine Ridge CR&E’s, Article 11, Section I beginning at page 23.

Temporary Buildings; Accessory Buildings – Sheds are permitted with ACC approval.

- Each home is allowed one service yard (walled-in area); ideal for containing garbage containers, no items contained in service yard shall be visible from outside the structure.
 - This area may be constructed of white vinyl panels, 4’ wide by 6’ high by 8’ long max.
- No tents, trailers, shacks or other temporary builds or structures shall be constructed or otherwise placed upon the Lot or used as a living unit.
- Sheds:
 - Owners must submit an ACC application, picture of the proposed shed, and a copy of the closing plat showing where the shed will be placed.
 - With privacy fencing, neutral in color.
 - Without privacy fencing, installed behind house (i.e. not visible while standing at any point along the property boundary line in front of the house.

Garages – Screens require ACC approval.

- No garage or area of garage shall be permanently enclosed or converted into living space.
- No garage opening shall have a screen covering unless it is approved by the ACC.

Animals and Pets – Domestic animals are allowed. Invisible fencing is allowed without ACC approval.

- Only common domesticated household pets may be kept on any lot or in a living unit, but in no event for the purpose of breeding or for any commercial purposes whatsoever.
- Dog houses/runs are only permitted in yards with privacy fences.

Alterations and Additions – All alterations / additions require ACC approval.

- Work may not be started until the applicant has received approval from the ACC.
- Re-roofing or roof repair using similar materials and color do not require ACC approval.

Air Conditioning Unit – Are not allowed.

- No window, wall, or portable air conditioning unit is permitted if it is visible from outside.

Clotheslines and outside Clothes Drying – Are not allowed.

- No Clotheslines or clothes poles shall be erected and no outside clothes drying is permitted.

ISSUE #1

Outside Antennas and Satellite Dishes – Require ACC approval for location and screening.

- No television antenna, radio receiver, sender or other similar device may be attached or installed on the exterior portion of the property within Pine Ridge.
- Satellite dishes, not exceeding 24 inches in diameter, may be erected/maintained on the property.
- ~~All dishes are required to be placed on the back roof or placed on a pole in the back yard. If a dish is placed on a pole, it shall be screened from view.~~
- Every effort should be made to locate the dish in such a place so that the apparatus is not visible while standing in front or to the side of the house. If this cannot be done it is required that a letter stating such be sent from the satellite dish company.

Flagpoles – Require ACC approval.

- Flagpole shall not exceed 20 feet in height and shall be confined within the sides of the home extended on either the front or rear yard within the building setback lines.

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. c (p. 7): 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:

Outside Antennas and Satellite Dishes - Require ACC approval for location and screening. *
No television antenna, radio receiver, sender or other similar device may be attached or installed on the exterior portion of the property within Pine Ridge.

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).