

Design Review Committee (DRC) Report

1. Plan Reviews:

- a. Plans to construct a new residence at 19920 Roaming were reviewed and approved on April 23, 2013. A preliminary site inspection on May 17, 2013 revealed that construction is underway with the rough grading for the driveway completed and the foundation in place as
- b. Plans to improve an existing garage and construct a second story landing and stairways at 3975 Wavy Oak Drive was reviewed and approved on April 23, 2013
- c. Request to construct a dog kennel at 4297 Wavy Oak Drive was reviewed and approved on April 3, 2013 following an onsite inspection and consultation with the property owners.

2. Mailbox Structure:

The DRC met with a licensed architect (Bob Swickert) to begin developing alternatives to improve the mailbox structure to make it more weather proof and more aesthetically pleasing. Preliminary concepts have been developed and a meeting with the Architect to discuss the preliminary plans was conducted on May 17, 2013. At this point the architect is waiting on approval of the concepts at which time he will prepare enough details to obtain bids for construction of each alternative.

Once we have cost estimates and the more detailed preliminary plans the DRC will do a presentation to the HOA and finalize our preferred plan. Following this process we will advise the architect and he will prepare final construction drawings and specifications. We will need to engage the services of a contractor with a commercial license to proceed with construction since the building is considered a public facility. The plan is to find a commercial contractor who will work with us where we can use volunteers within our community to actually construct the building.

Once preliminary plans and cost estimates have been prepared we will also need to submit the information to El Paso County Regional Building Department for approval. A permit for construction will be required. The cost of the permit will be based on the cost of the structure. Since we plan to use volunteer labor this should reduce the overall cost of the structure.

3. Paved area adjacent to the existing mailbox structure.

Maintaining the paved area between the Wissler Ranch Road and the mailbox is the responsibility of the Wissler Ranch community. The paved area is in need of repair because several areas have deteriorated due to normal weathering and places where the gravel sub base has settled.

We have the names of several contractors who specialize in paving and the plan is to meet with them and get an estimate for repairing the areas that have deteriorated. To reduce cost we will try to coordinate with paving contractors who may be doing paving work where new residences are under construction and may be paving driveways. We will also try to coordinate this work with the improvements to the mailbox structure since drainage from the paved area is flowing in the direction of the subject structure.

4. Approval for Antennas

The DRC investigated the issue concerning erecting antennas for internet service. The Wissler Ranch Covenants states in **“Section 4.24 Utilities”** that **“All antennas must be contained within the structure (home) and not exposed to public view. No aerial masts shall be allowed.”**

This Covenants ruling is not enforceable because Federal Communications Commission (FCC) adopted rules for **“Over-the Air Reception Devices (OTARD)”**. **The OTARD rules protect a property owner or tenant’s right to install, maintain or use an antenna to receive video programming from direct broadcast satellites, broadband radio services, television broadcast stations and customer-end antennas that receive and transmit fixed wireless signals (which includes internet service).”**

This OTARD ruling means that HOAs do not have the right to govern the type of antennas or satellite dishes of a certain size that are erected for the previous referenced services. This ruling further states that **“Restrictions that prevent or delay installation, maintenance or use of antennas covered by these rules are prohibited. For example, in most cases, requirements to get approval before installing an antenna are prohibited.”**

5. Recommendation:

1. In the next newsletter inform homeowners of such conditions and their right to erect certain types of antennas without requesting permission based on FCC OTARD rules. Also advise homeowners that there are certain types of antennas and dishes that do require review and approval by the HOA and

where such information can be found. Further advise homeowners that antennas and dishes can be painted a non-metallic color to minimize visibility.

2. At some point in the near future, revise "Section 4.24 Utilities" of our covenants to reflect the conditions now governing the construction of antennas and dishes receivers.

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