

*Radio
Antenna*

RESOLUTION

PUEBLO WEST COMMITTEE OF ARCHITECTURE

The Pueblo West Committee of Architecture (hereinafter the Committee), a Colorado non-profit corporation, met on this 24th day of January, 1990, at which time a quorum was present and adopted the following resolution to take effect on January 24, 1990:

RESOLUTION 90-1

WHEREAS, the Committee of Architecture is charged with the task of enforcing certain conditions, covenants, and restrictions called a Declaration of Reservations (hereinafter the Declaration) respecting the development, improvement, protection, maintenance, and use of real property located in Pueblo West, Colorado; and

WHEREAS, the Declaration provides that the Committee may adopt reasonable rules and regulations in order to carry out its duties of providing for the maintenance of a high standard of architecture and construction in such a manner as to enhance the aesthetic properties and structural soundness of the community; and

WHEREAS, Section D:2 of the Declaration of Reservations states:

"No air conditioning unit, evaporative cooler, or other object other than a television or radio antenna shall be placed upon or above the roof of any dwelling or other building except and unless the same is architecturally concealed from view in plans submitted to and approved by the Committee of Architecture, and then only where to the full and sole satisfaction of the Committee of Architecture the same is not aesthetically objectionable and is otherwise in conformity with the overall development of the Community"; and

WHEREAS, Section D:13 of the Declaration of Reservations states:

"The storage of tools, landscaping instruments, household effects, machinery or machinery parts, boats, trailers, empty or filled containers, boxes or bags, trash, materials, or other items that shall in appearance, detract from the aesthetic values of the property, shall be so placed and stored to be concealed from view from all public rights of way. . . ."; and

WHEREAS, Section A:1 of the Declaration of Reservations states:

"No building, including farm structures of any kind, fence, patio, or other structure shall be erected, altered, added to, placed, or permitted to remain on said lots or any of them or any part of any such lot until and unless the plans showing floor areas, external design, structural details, and ground location of the intended structure along with a plot plan have been first delivered to and approved in writing by the Committee. . . ."; and

WHEREAS, Section A:2 of the Declaration of Reservations states:

". . . Variations from these requirements and, in general, other forms of deviations from these restrictions imposed by this Declaration may be made when and only when such exceptions, variances, and deviations do not in any way, detract from the appearance of the premises, and are not in any way detrimental to the public welfare or to the property of other persons located in the vicinity thereof, all in the sole opinion of the Committee and in compliance with the Pueblo County Zoning Resolution."; and

WHEREAS, the Committee has determined antennas for transmission or reception for radio signals erected outdoors on any lot shall conform to the requirements of the Declaration of Reservations and this Resolution and shall be uniformly located on lots in Pueblo West, Colorado, to provide for consistency and fairness and to enhance the aesthetic properties involved.

NOW THEREFORE, BE IT RESOLVED that the following standards are adopted for the location of any antenna for transmission or reception of radio signals to be erected outdoors on any lot as follows:

1. No radio signals shall be permitted to originate from any lot which interferes with the reception of telephone, television, radio, or other communication signals upon any other lot. No antenna shall be erected upon any lot for transmission or reception of radio signals except and unless a plan is submitted to and approved by the Committee of Architecture based upon the requirements and conditions of this Resolution, and then only where to the full and sole satisfaction of the Committee of Architecture that the same is not aesthetically objectionable and is otherwise in conformity with the overall development of the community.

2. No antenna shall be erected upon any lot unless: (1) it is located behind the rear line of the primary structure on the lot; (2) the height of the antenna does not exceed 40 feet above ground; (3) the antenna is architecturally concealed from view by plans submitted to and approved by the Committee of Architecture which require landscaping be provided and maintained; (4) there are no other antennas erected or to be erected upon the building or the property; and (5) where the owner of the property agrees to remove the antenna upon the sale of the property or within ten years, whichever occurs first.

3. No person shall be permitted to have more than one antenna erected upon any building or lot.

4. After approval by the Committee of Architecture and the erection of an antenna, if the antenna is used to transmit signals which cause interference with the reception of any telephone, television, radio, or other communications of any other lot owner, it is the responsibility of the antenna owner and/or operator to eliminate the interference within ten days of notice or the antenna shall be removed from the property upon written request of the Committee of Architecture.

The motion to adopt this Resolution was made, seconded, and carried by the Committee members present who are as follows: Curt L. Mickelson, John Wyman, Carol O'Daily, Connie O'Rourke, and Gene Derichsweiler.

Dated and signed at Pueblo West, Colorado, this 24th day of January, 1990.

BOARD OF DIRECTORS,
PUEBLO WEST COMMITTEE OF ARCHITECTURE

By Curt L. Mickelson
Curt L. Mickelson, Chairman

ATTESTED:

Carol O'Daily
Carol O'Daily, Secretary

STATE OF COLORADO)
) ss.
COUNTY OF PUEBLO)

The foregoing instrument was acknowledged before me this 24th day of January, 1990 by Curt L. Mickelson as Chairman of the Pueblo West Committee of Architecture, a Colorado non-profit corporation, and attested to by Carol O'Daily as Secretary of the Pueblo West Committee of Architecture, a Colorado non-profit corporation.

My Commission
Expires: _____

John Olin Rudick
Notary Public
Address: _____

My Commission Expires May 5, 1990