

# **PLACEMENT OF SATELLITE DISHES**

## **HUNTINGTON WOODS HISTORIC DISTRICT COMMISSION Guidelines For Historic Districts And Designated Historic Properties**

### **I. Definitions:**

For the purpose of these guidelines, satellite dishes are communication devices utilized to assist in the viewer's ability to receive video programming signals from direct broadcast satellites ("DBS"), multichannel multipoint distribution (wireless cable) providers ("MMDS"), and television broadcast stations ("TVBS").

As directed by Congress in Section 207 of the Telecommunications Act of 1996, the Federal Communications Commission defines the following types of video antennas or satellite dish:

1. A "dish" antenna that is one meter (39.37") or less in diameter and is designed to receive direct broadcast satellite service, including direct-to-home satellite service.
2. An antenna that is one meter or less in diameter or diagonal measurement and is designed to receive video programming services via MMDS (wireless cable). Such antennas may be mounted on "masts" to reach the height needed to establish line-of-sight contact with the transmitter. Masts higher than 12 feet above the roofline may be subject to local permitting requirements for safety purposes.
3. An antenna that is designed to receive local television broadcast signal. Masts higher than 12 feet above the roofline may be subject to local permitting requirements.

### **II. Policy**

The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings state that:

"Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity."

The Secretary of the Interior's Standards for Rehabilitation and

Guidelines *recommend against*:

"Introducing a new building or site feature that is out of scale or otherwise inappropriate."

"Introducing new construction onto the building site which is visually incompatible in terms of size, scale, design, materials, color and texture or which destroys historic relationships on the site."

"Introducing a new landscape feature or plant material that is visually incompatible with the site or destroys site patterns or vistas."

According to Federal Regulation 36 CFR § 800.5(a)(1), the installation of a satellite dish is an undertaking that may alter, directly or indirectly, any of the characteristics of a historic property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Specifically, the undertaking will result in: The introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features.

The rule of the Telecommunications Act of 1966 is cited as 47 CFR § 1.4000. This rule applies to viewers who place video antennas or satellite dishes on property that they own and that is within their exclusive use or control, including single family homes.

The rule does not prohibit legitimate safety restrictions or restrictions designed to preserve designated or eligible historic or prehistoric properties.

### **III. Guidelines**

The following guidelines concerning the placement of satellite dishes are provided to assist in the interpretation and application of the Secretary of the Interior's Standards and Guidelines. The objective is to be consistent with the FCC rulings, provide maximum flexibility for individuals, and avoid highly visible installations that significantly affect the visual character of a building and its surroundings.

Whenever a satellite dish is affixed to a building, it must be installed to avoid damaging the structure. For example, when affixed to a masonry structure, it should be attached to mortar joints, not the brick or stone.

#### ***A. Satellite Dish placement not requiring any review for a Certificate of Appropriateness.***

The Historic District Commission recommends that dishes, as well as other 'contemporary' communication devices, be located unobtrusively within the historic district. The placement of such will not require a review if they are located on or near a structure so that they are

not visible from the street. Specifically, the dishes should be located at the rear of the primary building or attached to rear of the primary building (either on the rear walls or the rear slopes of the roof).

***B. Satellite Dish placement requiring review by the Historic District Commission for a Certificate of Appropriateness.***

Any dish located where it is clearly visible from the street will require an application and review by the Historic District Commission. These options are only available if there are no other alternative locations and would be considered as a hardship situation.

1. **Front Yards.** The least compatible location for dishes is the front yard. Placement in the front yard results in a negative visual impact on the historic district and, if applicable, on a contributing building. While not recommended, if the only possible location for a dish is the front yard, then the placement of the dish should be next to the primary building and screened with plant materials so that it is not readily visible from the street. Both the dish design and location, as well as the design and location of the screening material must be reviewed.
2. **On the Front or Side of a Building.** Similarly, if the only location for the placement of a dish is attached to the front or side of the building, either on the front roof slope, or attached to the wall of the building, then the Historic District Commission recommends that the applicant place the dish so that it is screened from view from the street or compatibly incorporated into the facade design.
3. **Corner Lots - Side Yards.** As with the front yard, the side yard on a corner yard is a location that results in a negative visual impact on the historic district. If the side yard is the least obtrusive location for a dish, then the placement of the dish should be next to the primary building and screened so that it is not readily visible from the street. Both the dish design and location, as well as the design and location of the screening material must be reviewed.
4. **Vacant Lots, etc.** Where there is no primary building on the property, either because it is a vacant lot or in cases where the designation is of an object or site, the Historic District Commission will review the location and any proposed screening material on a case by case basis.

These guidelines were approved on \_\_\_\_\_, 2004 by the Michigan State Historic Preservation Office under the provisions

of Michigan's Local Historic District Act (1970 PA 169, Section 5.(3); MCL 399.205)