HAMILTON ARMS
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Columbus, Ohio 43227
(614) 237-8035

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April 10, 1996

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M. Street, NW, Room 222
Washington, DC 20554

Re: Preemption of Local Zoning Regulations of Satellite Earth Stations, IB Docket No. 95-59

Dear Mr. Caton:

We write in response to the FCC's Report and Order and Further Notice of Proposed Rulemaking released on March 11, 1996, regarding preemption of certain local regulations of satellite earth station antennas, and proposing to prohibit enforcement of nongovernmental restrictions on such antennas that are less than one meter in diameter (the "FNPRM"). We enclose six (6) copies of this letter, in addition to this original.

Oakwood Management Company is in the residential real estate business. We manage over 45 communities in the central Ohio area totaling approximately 10,000 units.

We are concerned that the proposed rule prohibiting enforcement of nongovernmental restrictions will adversely affect the conduct of our business without justification and needlessly raise additional legal issues. We question whether the Commission has the authority to require us to allow the physical invasion of our property. We must retain the authority to control the use of our property, for several reasons.

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In conclusion, we urge the FCC to avoid interfering in our relationships with our residents. All of the potential problems we cite will adversely affect the safety and security of our property as well as our bottom line and our property rights. Thank you for your attention to our concerns.

Cordially,

John D. Wymer
President

JW:hm

United Dominion
REALTY TRUST

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United Dominion Realty Trust is one of the largest apartment owners in the country with over 35,000 apartment homes in 147 communities. This proposal would impact us significantly.

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Sincerely,

Curtis W. Carter

UNITED DOMINION REALTY TRUST
Curtis W. Carter
Vice President

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CWC/bg

10 SOUTH SIXTH STREET, SUITE 203 RICHMOND, VIRGINIA 23219-3802 804-780-2691 FAX: 804-343-1912

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5211 Sawmill Road
Dublin, Ohio 43017
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Cordially,

John D. Wymer
President

JW:hm

Olde Cape Colony

3425 Olde Cape East • Columbus, Ohio 43232
(614) 837-7063

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Cordially,

John D. Wymer
President

JW:hm

COLONIAL VILLAGE

1256 Rand Avenue • Columbus, OH 43227 • (614) 237-1792

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Cordially,

John D. Wymer
President

JW:hm

Shannon Village of dublin

5302 Shannon Park Drive · Dublin, Ohio 43017 · (614) 766-6868

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John D. Wymer
President

JW:hm

STRATFORD VILLAGE

3058 C Allegheny Avenue • Columbus, Ohio 43209
(614) 231-6539

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ABBOT'S Cove

Townhomes with Real Style and Value.

April 10, 1996

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2960 Abbot's Cove Blvd. • Columbus, Ohio 43204 • (614) 351-0500

OAKWOOD MANAGEMENT COMPANY
"Dedicated to Management Excellence"

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John D. Wymer
President

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The Arbors
Luxury Townhome Apartments

3rd & Maple Streets Marysville, Ohio 43040 (513) 642-4999

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John D. Wymer
President

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ASHBERRY VILLAGE

5442 Ashberry Village Court ❧ Columbus, Ohio 43228 ❧ (614) 870-7110

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ASHERTON
OF DUBLIN
5400 Asherton Boulevard • Dublin, Ohio 43017 • 614/761-0222

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JW:hm

AutumnChase

5598 Autumn Chase Drive · Columbus, Ohio 43232 · (614) 868-0211

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5535 Cabot Cove Drive • Hilliard, Ohio 43026 • (614) 771-6650

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First, the FNPRM incorrectly states that "nongovernmental restrictions would appear to be directed to aesthetic considerations." Aesthetic considerations are not trivial – The appearance of a building directly affects its marketability. Most people prefer to live in attractive communities, and the sight of hundreds of satellite antennas bolted to the outside walls and railings of apartment units would be extremely unappealing to present and future residents. Aesthetic considerations have definite economic ramifications.

Second, the weight or wind resistance of a satellite and the quality of installation may create maintenance problems and – more importantly– a hazard to the safety of residents, building employees, and passers-by. Damage to the property caused by Water seepage into the building interior, corrosion of metal mounts, or weakening on concrete could lead to safety hazards and very costly maintenance and repair.

Third, the technical limitations of satellite technology create problems because all of our residents may not be able to receive certain services. It is our understanding that satellites are only positioned in certain areas, thus limiting access.

In conclusion, we urge the FCC to avoid interfering in our relationships with our residents. All of the potential problems we cite will adversely affect the safety and security of our property as well as our bottom line and our property rights. Thank you for your attention to our concerns.

Cordially,

John D. Wymer
President

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