



Rule 1997-1

Adopted:

April 10, 1997

Revised:

April 23, 2005

Stain Colours

September 21, 2015

Floor Spacing

August 31, 2016

Vinyl Option

PATIO FENCE MAINTENANCE STANDARDS

Intent: The architectural concept of the buildings at Congress Square I is that of a Grand Home. Each building is designed to have the appearance of a single large house. Patio Fence Maintenance Standards have been adopted to maintain the uniform original as built appearance of this part of the Limited Common Property as provided in the Declaration of Condominium Ownership and the Drawings.

A. Design Standards - All:

1. The overall size of any patio fence may not exceed the nominal dimensions indicated in Figure 1 or Figure 2 and replacement posts must be placed at least 4 inches away from the sides of the building to provide access for maintenance of the building and siding.
2. Where the patio fence is accessed from the dining area, a separate enclosure wall shall be provided for the air conditioning condensers for both units with an easement in favor of the adjacent unit owner for the placement of the air conditioning condenser unit and water faucet. To provide additional ventilation for air conditioners, the interior enclosure wall may be constructed of wood lattice on wood fences or Bufftech Princeton or Bufftech Millbrook on vinyl fences for the interior enclosure wall only.
3. **Gate or Fixed Panel:** An optional gate with fixed panel may be installed to provide access to and privacy for the patio area following the guidelines in Figure 5. An optional fixed panel may be built to provide privacy for the patio area following the guidelines in Figure 6. Gates for patio access may have either a curved cut out or straight top.
4. **Air Conditioning Access:** An optional gate with straight top or removable fixed panel may be installed to provide access to the air conditioners. Every effort shall be used to minimize the visibility of hardware when access is provided from the exterior of the patio.
5. **Attachments:** Planters and lighting fixtures are the only accepted attachments to the outside of patio fences. Garden hose hangers and hoses are not permitted on the exterior of the fence.
6. **Post and Panel Alignment:** Fence posts and/or side panels shall be re-aligned whenever they shift more than 4" over a 4 foot distance from a level vertical or horizontal line. The height of all fence panels shall be consistent and level without stepping to accommodate sloped terrain.

B. Design Standards - Wood:

1. The height of the side walls may be no more or no less than 4'6". The maximum height of the fence, measured at a point closest to the building from the ground surface at original developer set grade to the top rail of the side wall is 5 feet.
2. Patio fences must be repaired or replaced to conform to the original design adopted by the Association Developer during original construction and the Middleburg Heights Board of Building & Zoning Appeals variance case # 91-11-58.
3. Fences that follow the Interim 1987 design with chair rails and Colonial bases may be maintained, but total reconstruction must follow the original design or the vinyl option.
4. Fences built prior to December 1991 that do not follow either design, must be adapted to have the visual appearance of the original design not later than July 1, 2000. All other wood fences shall conform to the original design standard without variances.
5. Side walls shall be constructed from the original reverse batten rough sawn fence board panels with grooves 4" on center, T1-11 plywood sheets with a thickness of at least 5/8" with grooves 4" on center. Grooved panels 8" on center are not acceptable. Uncut T1-11 sheets shall be 4'x9' feet to avoid waste and side walls shall be a continuous solid panel without horizontal splicing. 4'x8' foot panels, if used, shall be cut in such a manner as to provide a continuous sidewall panel to provide a 4'6" wall height including top and bottom rails with the balance of the panel as waste. Side wall panels shall not be 4 feet in height nor shall any build up or trim method be used to accommodate 4 foot side walls.
6. **Stain Colours:** Patio fences are to be stained, within 30 days, whenever structural members of the fence are replaced or when fading or peeling is visible within 6 feet of the surface of the fence. Care shall be taken to remove spills of stain from concrete surfaces. The following colours **ONLY** are to be used:
Sherwin-Williams Solid Colour Exterior Stain
Blue SW 6254 Lazy Gray Gray SW-6266 Discreet White
Yellow SW-6133 Muslin Tan SW-6080 Utterly Beige White SW-7006 Extra White
7. **Stain Transition:** When a vinyl patio fence is installed, the adjacent wood patio fence may be stained in the White Colour.

C. Design Standards - Vinyl Option:

1. Vinyl patio fences shall be **Bufftech New Lexington ONLY** in the five foot (5') height without variances.
2. The interior air conditioning enclosure wall may use Bufftech Princeton or Millbrook for the interior wall only.
3. The maximum height of the fence, measured at a point closest to the building from the ground surface at original developer set grade to the top rail of the side wall is 5'4"
4. Side walls grooves or picket widths on vinyl fences shall be 4" on center **ONLY**.

5. An **Architectural Review IS REQUIRED** prior to the installation of any Vinyl patio fence, with submission of dimensioned drawings and materials sources not less than 20 days prior to construction.

D. Floor Surfaces: A hard surface such as concrete, flagstone, brick or wood decking may be built within bounds of the patio fence. A space of at least three inches (3") must be maintained between the patio floor surface and the building for maintenance purposes and expansion of the surface on newly constructed floors. The cost of removal and replacement of patio floors whenever maintenance of property under the patio floor surface is required is the responsibility of the unit owner.

The addition of wood decking or any other floor shall not be a cause for alteration, increasing or decreasing of the established dimensions of the patio fence including, but not limited to, the side wall height of not more or not less than 4 feet 6 inches for wood fences (5' Vinyl) and the maximum height of the fence 5 feet above level grade for wood fences (5'4" Vinyl)

Figure 1 Wood

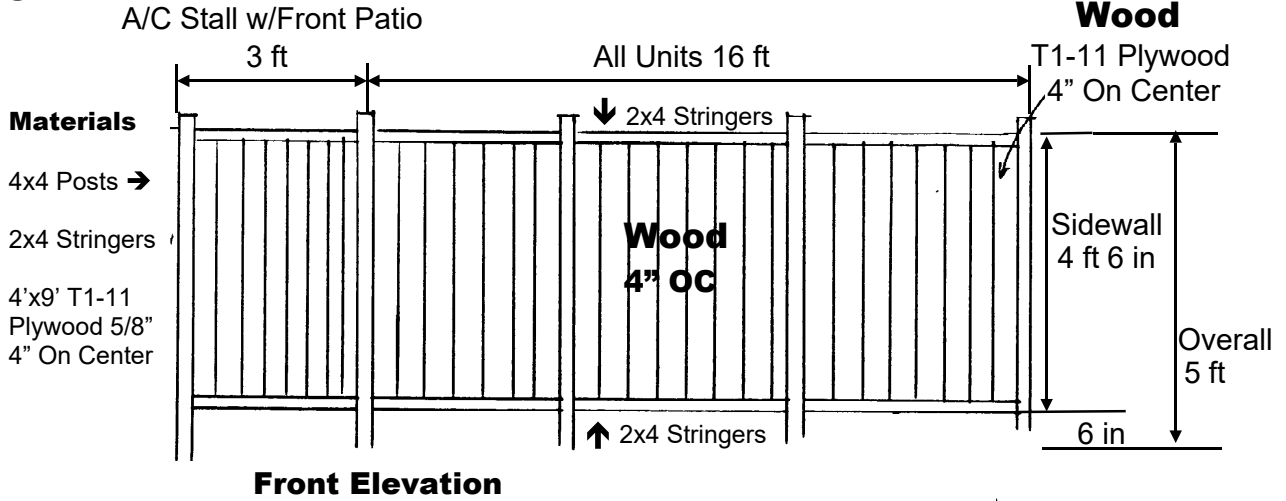


Figure 2 Bufftech New Lexington Vinyl

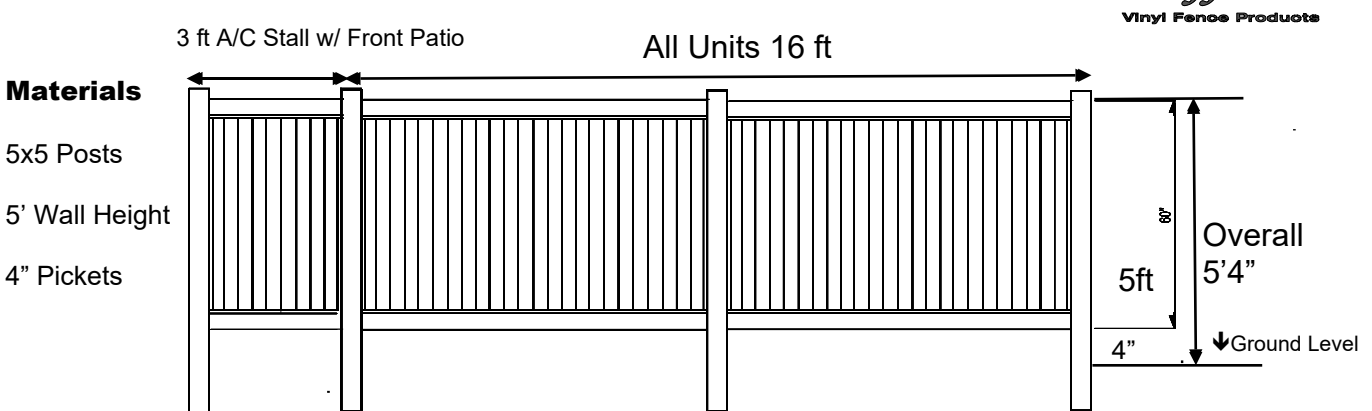


Figure 3 Large Fence

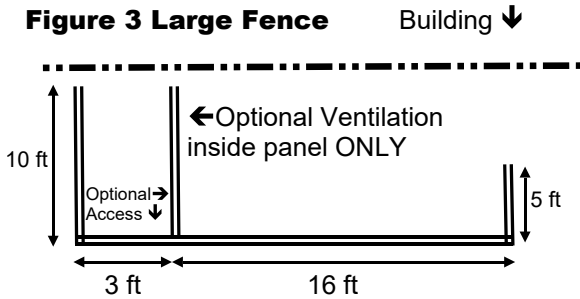


Figure 4 Small Fence

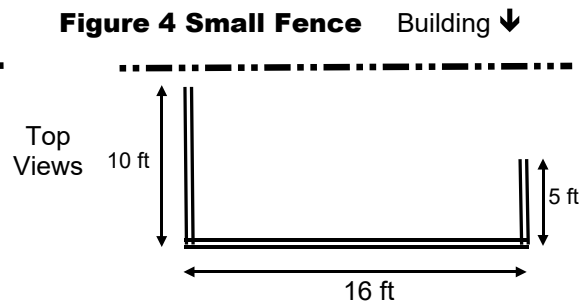


Figure 5

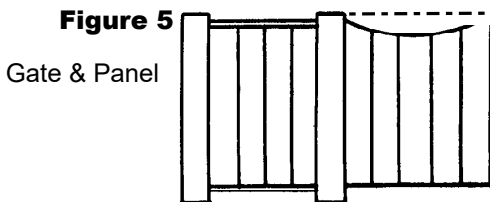
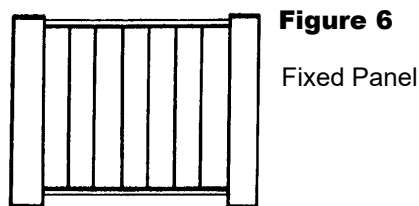


Figure 6





Congress Square I Condominium

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Patio Fence Architectural Review

The architectural concept of Congress Square I is that of a grand home - a single large building with four dwelling units. This provides a uniform exterior appearance for the units and certain architectural components of the buildings. An **Architectural Review** is **REQUIRED PRIOR** to the construction of a new Vinyl Patio Fence and is optional for wood fences. Please complete and return this form along with supporting materials at least **20 days** prior to the start of construction. **Thank you for your cooperation**

*You must attach a scale diagram (generally provided by the contractor) with **detailed dimensions** of the fence, relative location of existing building elements such as building walls, corners, doors and provide other specifications related to the change. Submission of the Association's rule is not considered an acceptable diagram. All requests are considered **DENIED** until the specific written approval of the Association has been granted.*

OWNER'S NAME _____

ADDRESS _____

PHONE (H or C) _____ **(Daytime)** _____

CONTRACTOR _____

ADDRESS _____

CONTACT PERSON _____

PHONE(S) _____

EMAIL _____ **Website** _____

FAX _____

Fence Type ___ White Vinyl ___ T-111 Plywood ___ Solid Milled Cedar/Pine

Patio Location ___ Front ___ Side

FENCE MATERIAL MANUFACTURER _____

PRODUCT LINE (S) _____

Will a patio access gate ___ or ___ fixed panel be installed?

Will an air conditioning access gate or panel be installed? ___ Yes (Note location on diagram) ___ No

Will optional air conditioning ventilation interior panel materials be used? ___ Yes ___ No

Describe materials to be used and other related information _____
