



Congress Square I Condominium

Rule 1997-1

Adopted:

April 10, 1997

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:

1. 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.
2. Fences that follow the Interim 1987 design with chair rails and Colonial bases may be maintained, but total reconstruction must follow the original design.
3. 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 fences shall conform to the original design standard without variances.
4. Side walls shall be constructed from the original reverse batten rough sawn fence board panels with grooves 4" on center or from T-1-11 plywood sheets with a thickness of at least 5/8" with grooves 4" on center. Grooved panels 8" on center are **not** acceptable. Uncut T-1-11 sheets shall be 4'9" to avoid waste and side walls shall be a continuous solid panel without horizontal splicing. 4'x8' 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' in height nor shall any build up or trim method be used to accommodate 4" side walls.
5. The size of any patio fence may not exceed the nominal dimensions indicated in **Figure 1** 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. 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.
6. 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.

B. 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 2**. An optional fixed panel may be built to provide privacy for the patio area following the guidelines in **Figure 3**.

C. Attachments: Planters 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.

D. 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.

E. Stain Colours: Patio fences are to be stained 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:

Maxum Formula 2 Solid Color Acrylic Stain

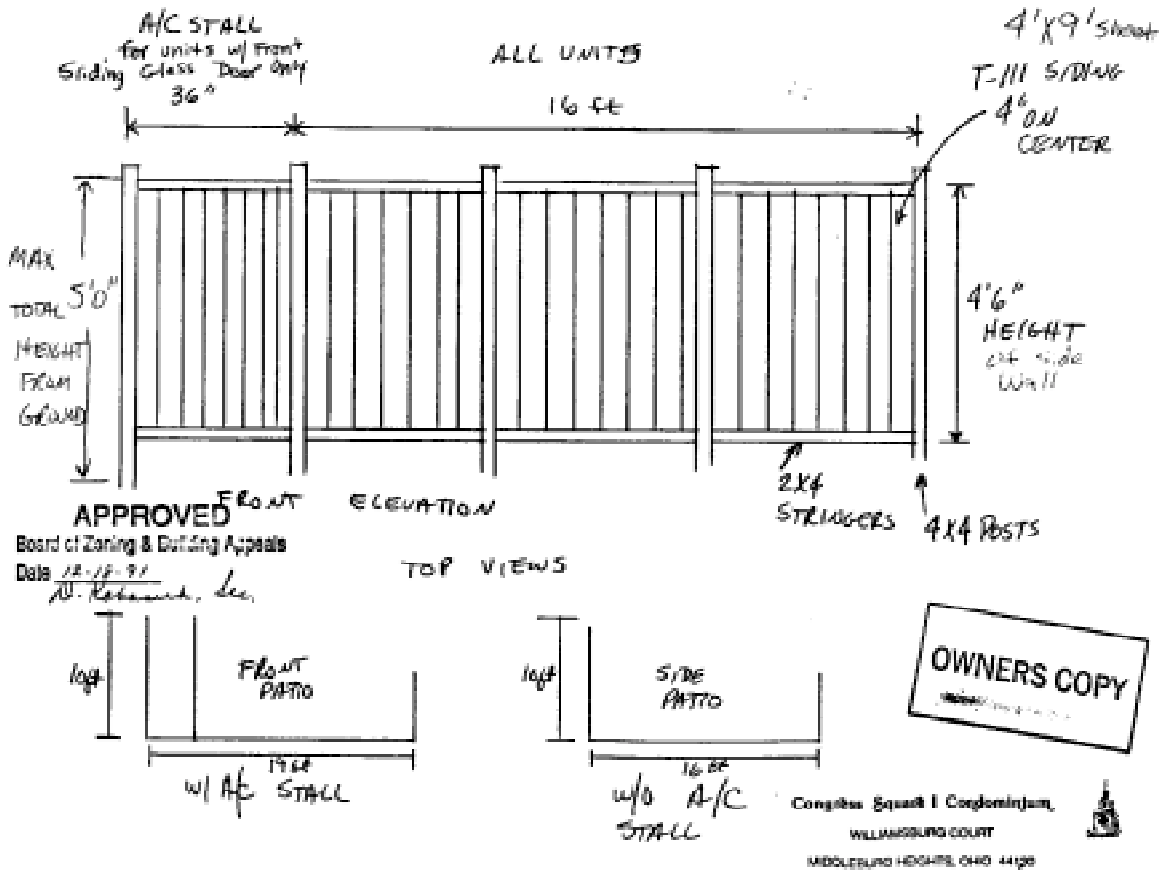
Tan M-2011 Light Chamois Cream (Red Trim) M-2043 Parchment

Sherwin-Williams Solid Color Exterior Stain.

Blue SW-3014 Juniper Blue Gray SW-2094 Niagara Mist

F. 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 one inch (1") 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 and the maximum height of the fence 5 feet above level grade.



Figures 2 & 3
 Panel and Gate
 and Fixed Panel
 5 foot nominal
 Overall width

