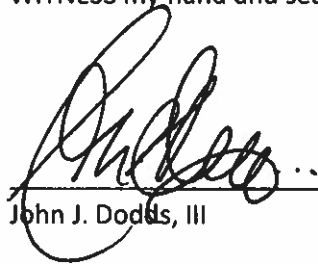


RECEIVED 10-5-23  
PER CLERK *anf*  
ROD OFFICE  
CHARLESTON COUNTY, SC  
1207-087

**MARINER'S WALK OWNER'S ASSOCIATION, INC. RULES & REGULATIONS INCLUDING INTERIOR RENOVATION POLICY**

The undersigned John J. Dodds, III, attorney for Mariner's Walk Owner's Association, Inc. ("Association"), does hereby certify that the attached twenty-two (22) pages constitute the current Rules & Regulations, including Interior Renovation Policy, of Association in accordance with the Master Deed for Mariner's Walk Horizontal Property Regime, as recorded in the Register's Office for Charleston County on April 24, 1981, in Book F-125, at Page 225, as amended (collectively the "Master Deed"), and is being recorded in the Register's Office for Charleston County, South Carolina in accordance with the requirements of Section 27-30-130, Code of Laws of South Carolina, 1976, as amended.

WITNESS my hand and seal this 4<sup>th</sup> day of October, 2023, at Mount Pleasant, South Carolina.



John J. Dodds, III

\_\_\_\_\_(Seal)

John J Dodds III LLC  
858 Lowcountry Blvd.  
Suite 101  
Mount Pleasant, SC 29405

## MARINER'S WALK RULES & REGULATIONS

This Villa is owned privately and all Mariner's Walk Villas are managed as a regime by Property Management Services. Together, with the owner, we are committed to maintaining the beauty of the grounds and units.

- **Balconies and Porches:** Enjoy them, but draping of towels and other items over railings visible from the exterior are not permitted. Storage of beach chairs and paraphernalia in the entry stairwells and porches is not permitted.
- **Outdoor Grilling:** *Fire code prohibits grilling of any type in the building or on the porches, decks and pine straw.* Grilling area is located behind the pool beachside.
- **Trash Handling:** Trash containers are provided in the wooden enclosures on the common grounds. Place trash in the containers provided and securely replace the lid. Trash pick-up is scheduled seasonally. (Spring/Summer: twice per week, Fall/Winter: once per week)
- **Pets:** No pets are allowed in the rental properties. Owners with pets must keep them on a leash and clean up after them.
- **Pest Control:** Palmetto bugs and other similar insects are an unfortunate fact of life in this subtropical climate. All units are sprayed for pests monthly. Possible re-sprays may be completed on week days only!
- **Skateboards and Fireworks:** Skateboards and the shooting of fireworks are prohibited on Mariner's Walk property.
- **Pool:** Pool hours are 9:00 AM to 10:00 PM. No glass or pets are permitted at the pool. Parties are not permitted at the pool. Please be mindful of surrounding guests at all times while enjoying the pool area.
- **Beach Access:** Please save the dunes and use the marked beach access paths provided.
- **Noise Disturbances:** Only radios with headsets are permitted outside the units. Loud parties are not permitted on balconies, porches or decks. Please be mindful of noise issues!
- **Parking:** Park only in spaces provided. If you have more vehicles than the assigned unit space, use overflow areas. ID decals are required for owner's vehicles. Rental guests of Mariner's Walk must have a Wild Dunes Community Association pass visibly displayed with unit number in vehicle at all times. Towing is enforced. No golf carts without management permission. No boats or trailers permitted.
- **Valuables:** The management and/or owner will not be responsible for the loss of money or other valuables. Please lock doors when you are not on the premises. No item(s) should be removed from the unit that is property of the rental unit owner.
- **Maintenance:** If you are a rental guest and have a maintenance emergency, please contact your rental company immediately! The rental companies will in turn contact the Regime Management if necessary. If you are not with a rental company and have an emergency, please contact Regime Management.

FOR FURTHER ASSISTANCE OR QUESTIONS, PLEASE CALL YOUR RENTAL MANAGER  
OR REGIME MANAGEMENT IF YOU ARE NOT ON A RENTAL PROGRAM

Thank you!

PROPERTY MANAGENT SERVICES, INC.

843-881-5459

## **Mariner's Walk Interior Renovation Policy**

The Board of Directors for Mariner's Walk desires to set forth a uniform policy for interior renovations. The need for this policy has arisen due to the damages caused to the common elements of the buildings in past remodeling efforts.

### **Structural Repairs and Overall Condition**

Owing to original design and construction defects and age, a major structural repair project was completed in 2008. Amongst other things, many of the floor framing systems were reinforced. This did not include all floors but only those that demonstrated excessive deflections or other signs of distress. In order to overcome the distorted shapes of the buildings, many structural elements had to be repositioned by jacking efforts. The effect of these repairs has been to place the buildings in significantly better structural condition but well short of perfect. Moreover, the original structural systems in conjunction with the repair elements comprise an exceedingly complex structural environment.

In the past, both before and after the recent major repair project, individual Owners have renovated their units in a way that was detrimental to the building structures and other common elements. The cost to remedy these problems has not been trivial.

### **Specific Existing Conditions**

There are a few specific conditions that Owners should be aware of prior to making plans for individual unit modifications.

1. Kitchen Walls- Many Owners find that the removal of hallway walls adjacent to the kitchens is more pleasing. These hallway walls were never intended to be load bearing elements. However, due to the poor performance of the floor framing systems, most of these walls carry floor loads from above. During the recent repair project, a number of units were strengthened in a way that would allow the removal of portions of the hallway walls. This is not true for all units. It is the policy of the Board that any Owner that desires to remove this element will also have to bear the entire cost of the structural modifications that are required to assure the adequacy of the modification. This will include the costs for services by the HOA's engineer and contractor.
2. Interior Flooring- All Units must receive approval for interior flooring modifications
  - a. Concrete Topping Slabs- For sound transmission and fire safety reasons, there is a Gypcrete concrete topping slab on the floors between units. Specifically this pertains to the lowest floor of the D, E and F units. Due to the poor structural performance of the floor framing systems and the effects of the previous repairs including jacking, many of these floor slabs contain extensive cracks.

While the slabs are not structural and therefore do not present a structural problem, their ability to serve as a base for tile or other hard finishes would be questionable.

The Gypcrete **shall not be removed from any unit** without prior notification and approval by the HOA's engineer. It is the policy of the Board that any Owner that desires to make such modifications will also bear the cost of replacement or repair of the concrete slabs if warranted. The cost for services by the HOA's engineer and contractor will be paid by the unit Owner. The Owner will also accept the responsibility for the future performance of the tile or other hard floor finish.

b. It is the policy of the Board that any Owner(s) in the A, B and C units that desire to renovate their interior flooring must receive the Mariner's Walk Board of Directors and HOA Engineer's approval. See Mariner's Walk Condensation Issue Structural Engineer Letter dated March 16, 2023. See Flooring Issues for A, B and C units & Engineers Report dated July 17, 2023.

Due to the location of the AC ductwork and for moisture and/or condensation reasons, breathable material flooring products are required. In the event any Owner(s) in the A, B and C units does not obtain the required renovation interior flooring material approval with the Mariner's Walk Board of Directors and the HOA Engineer, the Owner(s) will accept all responsibility for all potential damage to any structural portion of the unit(s)/building as well as all expenses to the HOA's contractor(s) and engineer.

3. Window and Sliding Door Replacement- Given the age of Mariner's Walk, many windows and sliding door have been replaced. These elements are considered shared between the individual Owners and the HOA, i.e., the window or door unit is the responsibility of the Owner while the structure of the opening including the waterproofing is the responsibility of the HOA. Owners that desire to change doors or windows should be aware that the City of Isle of Palms has specific criteria for replacement windows and doors, which are DP 50 high impact only! It is the policy of the Board that the HOA will share in the cost for the replacement of doors or windows based solely on the condition of the existing door or window unit. The condition assessment will be made by either the HOA's engineer or contractor at the unit Owner's expense. Owners that desire to replace doors or windows are advised that the installation of windows and more critically, the sliding doors will have a significant impact on the waterproofing especially at the exterior balconies. This work will only be allowed by the HOA's contractor with supervision by the HOA's engineer and at the expense of the unit Owner. Replacement windows and doors are to be manufactured by Andersen.
4. Plumbing, HVAC and Electrical- Mariner's Walk is constructed in a fashion that makes plumbing, HVAC or electrical changes very difficult without significant structural modification. Typically, these subspecialty contractors do not possess the knowledge commensurate with the complexity of Mariner's Walk. For this

reason, many instances of damage to the common elements have occurred. The changes of concern to the HOA include the relocation of any pipe, duct or wires. The simple replacement of switches or fixtures is allowable. Owners that desire to make such modifications are hereby cautioned. It is the policy of the Board that any changes to the plumbing, HVAC and electrical systems will be borne by the unit Owner and will include the structural modifications required as a part of such changes. This work will only be allowed either by the HOA's contractor or with supervision by the HOA's engineer and at the unit Owner's expense.

### General Construction Requirements

The Board has set forth the following general construction requirements for all interior renovation projects. All contractor/insurance information must be on file with management prior to beginning any modifications.

1. All contractors approved by the HOA must be on site to oversee all modifications until job is completed.
2. Qualifications- Contractors that are proposed to do interior modifications shall be qualified to perform that work. The property manager in conjunction with the HOA's engineer and the Board shall make this determination. Contractors that are not on the approved list shall submit their statement of qualifications and be interviewed.
3. Licenses- Contractors that are proposed to do interior modifications must possess a General Contractors license and proper building permits from the City of Isle of Palms to work at Mariner's Walk.
4. Insurance- Contractors that are proposed to do interior modifications shall possess sufficient insurance coverage and shall obtain a statement form their carrier naming the Regime as a separate insured.
5. Scope of Work and Approval- Prior to commencement of any interior modifications, the individual unit Owner, in concert with the proposed contractor, shall submit a detailed proposed scope of work. All elements of modifications shall be addressed. No work shall be performed until the modifications are formally approved. Any additions to the scope of work are to be submitted in the same fashion.
6. Photographic Documentation- At the conclusion of all interior renovations, the unit Owner shall submit photographs of the before and after conditions.
7. Time- No interior modifications will be allowed during the period from May 1<sup>st</sup> to September 10<sup>th</sup>.

8. Permits- Building permits for all interior renovation projects are to be obtained and prominently displayed on-site.
9. Containment- All construction activities associated with the individual unit renovation shall be completely contained within the confines of the particular unit undergoing modifications. The use of stair landings and the like for carpentry work, etc., will not be allowed.
10. On-Site Storage- As a general rule, the storage of construction materials associated with interior modifications will not be allowed on the grounds. Under special circumstances, the Board will allow this activity in specified areas and for specified durations.
11. Sanitary and Debris Facilities- In most interior renovations, it is possible to make use of the toilets within the unit. Where this is impractical, temporary toilets will be allowed and located where designated by the property manager.

Under circumstances where a dumpster is needed, it shall be located as determined by the property manager. No debris is to be placed in the dumpsters maintained by the HOA.

12. Cleanup- Contractors performing interior modifications shall maintain the premises in a clean and orderly fashion. All debris shall be completely removed on a daily basis.
13. Latticework and Ground Floor Soffits- In many interior renovation projects, it is necessary to gain access to the crawlspace areas. Should this arise, the renovation contractor will be responsible for replacement of the latticework and the soffit material (plywood that maintains the first floor insulation in place) to the satisfaction of the HOA. The soffit plywood must be replaced daily.
14. Damage to Common Elements- All damage to the common elements attributable to a contractor performing interior modifications shall be immediately repaired by the Owner who retained such contractor. In the event that the contractor fails to complete such repairs, the Board will perform this work at the individual Owner's expense. Any common area/structural repairs related to faulty workmanship by an Owner's contractor after such time the Owner's renovations are completed, will be the sole responsibility of the Owner to pay for, and have repaired by, the HOA approved contractor with oversight by the HOA engineer. **Contractors are not permitted to make any modifications to common or limited common elements on the property. There will be no exceptions!**

15. Reporting of Problems- Contractors working on interior renovation projects shall immediately report any water leaks or other similar condition to the property manager.

16. All modifications must be approved by the Board of Directors and HOA Engineer, at the cost to the owner.

Mariner's Walk Contractor Guidelines

Established & Board Approved 3/30/09, Revised & Board Approved 4/14/10 & 8/25/23

Theodore Padgett, PS, PC, Consulting Engineer

Mariner's Walk Contractor Guidelines 3/9/16 (3)



Property Management Services, Inc.

**To:** Mariner's Walk Homeowners A, B & C Units, Via Regular & Certified Mail  
**From:** The Mariner's Walk Board of Directors  
**Date:** July 17, 2023  
**Re:** Flooring Issues For A, B & C Units & Engineers Report

---

Late last year it was brought to the Mariner's Walk Boards attention that a few of the downstairs A, B & C units were having moisture issues under their flooring. The downstairs units are unique in that they have all the A/C ductwork under the sub-flooring of their units, whereas the upper units have their ductwork in the walls or attic areas of their units. As well, the lower units are affected by the weather conditions (hot/cold air) under the buildings. It was originally thought that compromised ductwork was the cause of any trapped moisture under the flooring, which in some cases can be a problem also. However, some of the units were showing moisture problems where there was no duct work under the flooring.

Due to this being a new issue, and the Boards concern to determine the cause, the Board asked the engineer to inspect various downstairs units to understand why this was now happening in some units. The engineer's report is enclosed for your review. The report is clear that that the finishes in the units during the time of original construction was carpet and tile only, both flooring finishes that could breathe with the design of the downstairs units, the ductwork under the flooring, and the change in climate each season.

From the report, it is determined that the moisture problem arises when a new flooring material is placed with an impermeable or semi-impermeable layer installed. This can also potentially cause damage to the structural portion of the unit/building and well as affect indoor air quality.

Based on the findings from the engineer's report, the Board is recommending that the owners in the A, B & C units determine the type of flooring that may cause moisture issues (per report) and change out their flooring to a breathable flooring product(s). The engineer's report and communications to the A, B & C unit owners will be part of the renovation guidelines and legally recorded. If you plan to sell your unit, it will be disclosed from management via the recorded guidelines to any potential buyers. It is also required that the seller disclose the information to a potential buyer.

Your attention to this matter is required and appreciated. Please feel free to contact management should you have any questions. Laurie Schueler, Mariner's Walk HOA Manager, [laurie@charlestonpms.com](mailto:laurie@charlestonpms.com).

Ls23-061MW-JD  
(enclosure)



*www.theodorepadgettpe.com*

*Theodore Padgett, PE, PC*

*Structural Engineer  
4865 Highlander Lane  
Hollywood, SC 29449*

---

*email: theodorepadgett@aol.com  
843-860-1307  
843-769-7710*

March 16, 2023

Ms. Laurie Schueler  
Property Management Services, LLC  
1340-G Ben Sawyer Blvd  
Mt Pleasant, SC 29464

Re: Mariner's Walk- Condensation Issue

Ms. Schueler:

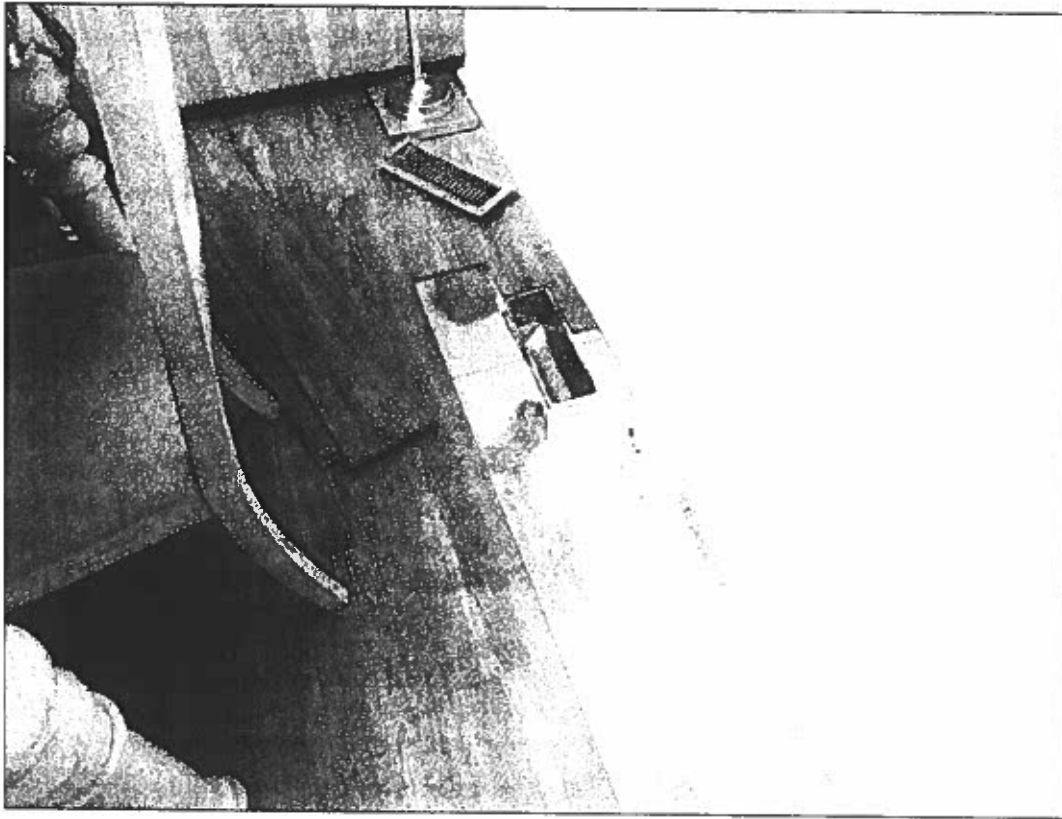
I was asked to evaluate the floor condensation issue at Mariner's Walk. Following are my observations and recommendations.

Mariner's Walk was originally developed in the mid-1980's. The project was constructed in 2 phases. Phase I consisted of Buildings 7-12 while Phase II involved Building 1-6. Each structure contains 2 attached buildings with 6 units per Building for a total of 72 individual condominium units. To the best of my recollection, the Phase II project was constructed a foot higher than the Phase I buildings ostensibly due to a change in the flood zones.

The materials of construction for both were wood frame typical of coastal residential developments in South Carolina. Foundations are driven wooden pilings. The Phase I structures used dimensional lumber (2x's) while the Phase II structures utilized manufactured wood products (trade name "Wood-I's) for floor framing systems.

The ground floor units (A, B and C's) were all built with nominal  $\frac{3}{4}$ " plywood subfloor and batt insulation. For weather and rodent protection, plywood sheathing was installed on the underside of the 1<sup>st</sup> floor joists and encompasses the associated HVAC ductwork. Typical original 1<sup>st</sup> floor finishes were carpet (and pad) and ceramic tile. It should be pointed out that this method of construction was typical across coastal South Carolina.

Recently, I have been made aware of condensation issues occurring at 1<sup>st</sup> floor locations. Yesterday, Mr. Vincent and I visited Unit 6C. Small sections of the wood flooring were removed for inspection. Areas of previous mold growth were observed. The bright tan material adjacent to the vent is ¼" plywood underlayment.



The following photograph of Unit 6C was forwarded to me in December 2022.

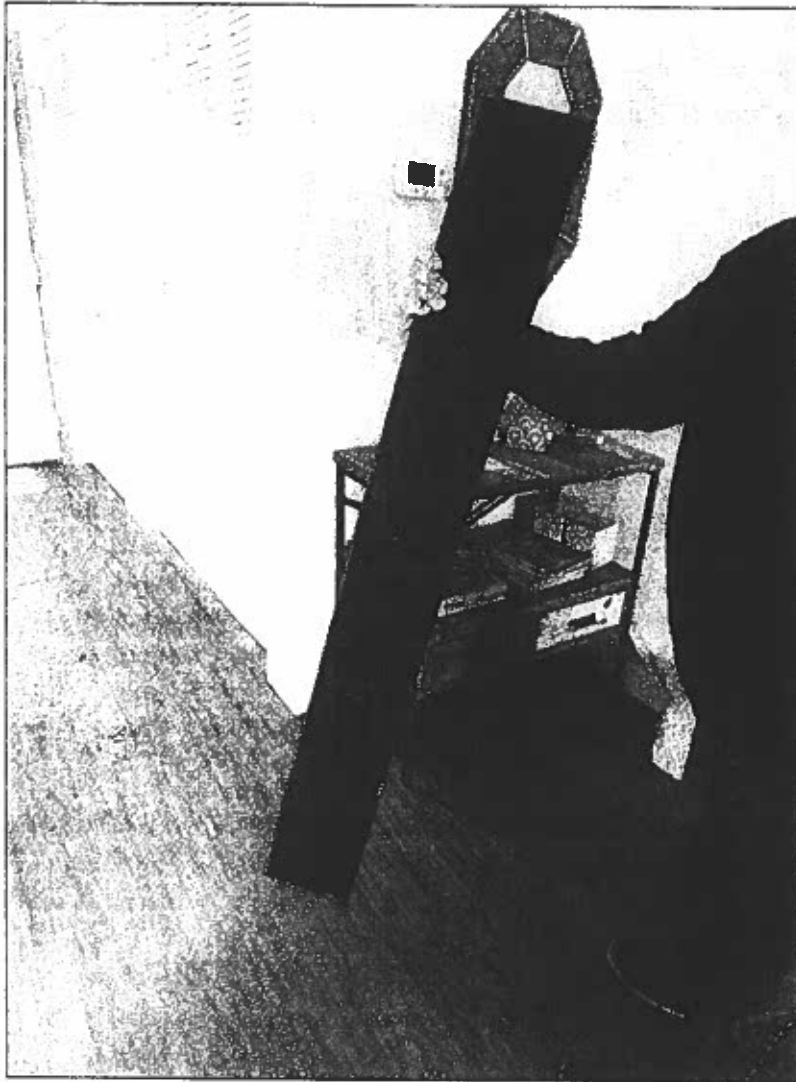


The staining on the underlayment is readily apparent. I was told that the wood product was known as LVP or Luxury Vinyl Plank. The product contains a rubberized backing on the bottom side.

Similarly, we visited 5B. The material under the flooring is a mat similar to a carpet pad. The deterioration is apparent in the foreground.



The following photograph is the rubber backing on the underside of the plank.



The problem arises when a new flooring material is placed with an impermeable or semi-impermeable layer is installed. In warm, moist environments such as coastal South Carolina, water vapor penetrates the floor sheathing and flooring and is subsequently removed by the HVAC system. When an impermeable or semi-impermeable layer is installed within the flooring matrix, the flow of water vapor is impeded, and condensation **can** occur. That appears to be happening at Mariner's Walk. Once this process begins, it will continue to occur but at accelerated rates. The threat is

both for potential structural damage and indoor air quality problems. It is extremely important to abate this problem as soon as feasible.

There seems to be 2 approaches that will work. First, remove any flooring materials that impede the moisture flow. This simply is to revert to the previous regime of carpet and tile. Wood flooring that does not contain an installation of a significant vapor retarder should be acceptable. Any wet or damaged structural material or insulation should be removed and replaced.

The second approach would be more involved and would call for the creation of encapsulated crawlspaces. This program would require the construction of solid walls (marine grade plywood) that would enclose the crawlspace areas that underlie the conditioned spaces of the 1<sup>st</sup> floors. The new walls would be insulated with a flood-proof foam. Flood ventilation would be provided by "Smart Vents" which automatically open in times of flood. Additionally, a heavy moisture barrier usually made of thermoplastic olefin (TPO) would be installed on the crawlspace floor. Many applications require humidity control through stand alone dehumidifiers or addition HVAC equipment to create a conditioned or semi-conditioned space.

This approach assumes that the city would allow this type of modification. To that end, we met with the city's Building Official Mr. Carr. Accordingly, the encapsulation approach would only be allowed for properties located in the "A" flood zone. The city would not allow encapsulation for building located in the "V" or velocity zone.

To recap, the "A" zone is the 100-year flood zone while the "V" zone represents those properties that are inundated and are subjected to a 3-foot wave on top of the 100-year flood level. My interpretation of the current Flood Insurance Rate Map (FIRM) is that at least the 2 ocean front structures (1&2 and 11&12) would fall in the V-zone.

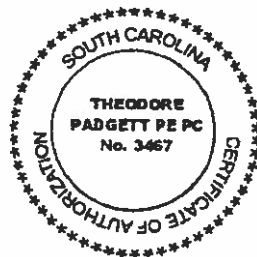
I am aware of approaches that have been recommended for other projects. Any method that prevents hot, moist air from penetrating the floor framing spaces and contacting the cooler floor sheathing and flooring would theoretically work. One such technique is the application of foil coated insulation board to the bottom of the floor framing. The joints would be taped, and remaining openings would be closed with sealant or foam. This system does not prevent damage from rodents is not recommended.

I trust this information is helpful and appreciate the opportunity to be of assistance.

Best regards,

*Theodore Padgett*

Theodore Padgett, PE, PC



**Mariner's Walk Screening of A Units:**

Upon investigation of the Bylaws it was found that this is permitted, "provided the enclosure blends with the rest of the building and prior approval from the Board and HOA Engineer has been obtained." We also reviewed this request with our attorneys (Krawcheck & Davidson, L.L.C.) who stated, "Clearly, the Board may approve screening additions".

The Board of Directors studied the feasibility and three proposed designs for this request. They determined that screening in the "A" units only would architecturally flow with screened-in decks in the "B" and "C" units. The design criteria consisted of simplicity, cost and the designs ability to flow architecturally. A drawing of the approved design is attached.

Requirements for the screening addition are, but not limited to:

- Mariner's Walk's Regime and Association Management Company (Property Management Services, Laurie Schueler) must be notified and an application must be signed and dated (attached).
- The cost of the screening additions, Board approved screen door, and engineering costs to oversee construction will be the responsibility of the "A" unit owner that built the enclosure and any owners thereafter should the unit be sold.
- Any damages to the common or limited common property are the responsibility of the unit owner who also accepts any and all liability during construction and after construction.
- A State of South Carolina licensed and insured general (not residential) contractor must be approved by the engineer for the build. The contractor will be required to have permits from both The Wild Dunes Community Association as well as the City of the Isle of Palms and must adhere to the approved design. Proof of insurance is required with the HOA as the additional insured. Construction, from the start date until the finish date must not exceed 90 days. Any uncompleted structure, after the 90-day construction period, will be removed at the owner's expense. All construction must adhere to the renovation policies or in the time frame allowed during the off season only.
- Upon completion of the project the structure will become limited common property of The Mariner's Walk Association and will be maintained as such. Maintenance of the "Screen Tight" screening system and the screen doors will be the unit owner's responsibility.

Any additional information and applications to proceed, may be obtained from Laurie Schueler at Property Management Services Office: 843-881-5459, Facsimile: 843-881-5616, Email: [laurie@charlestonpms.com](mailto:laurie@charlestonpms.com)



## Application for Screening Mariner's Walk "A" Units

I understand and accept the conditions regarding the "screening in" of my Mariner's Walk "A" unit

"A" Unit #: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Daytime Phone Number #: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Rental Company/Agent: \_\_\_\_\_

Contractor: \_\_\_\_\_

Contractors General Business License #: \_\_\_\_\_

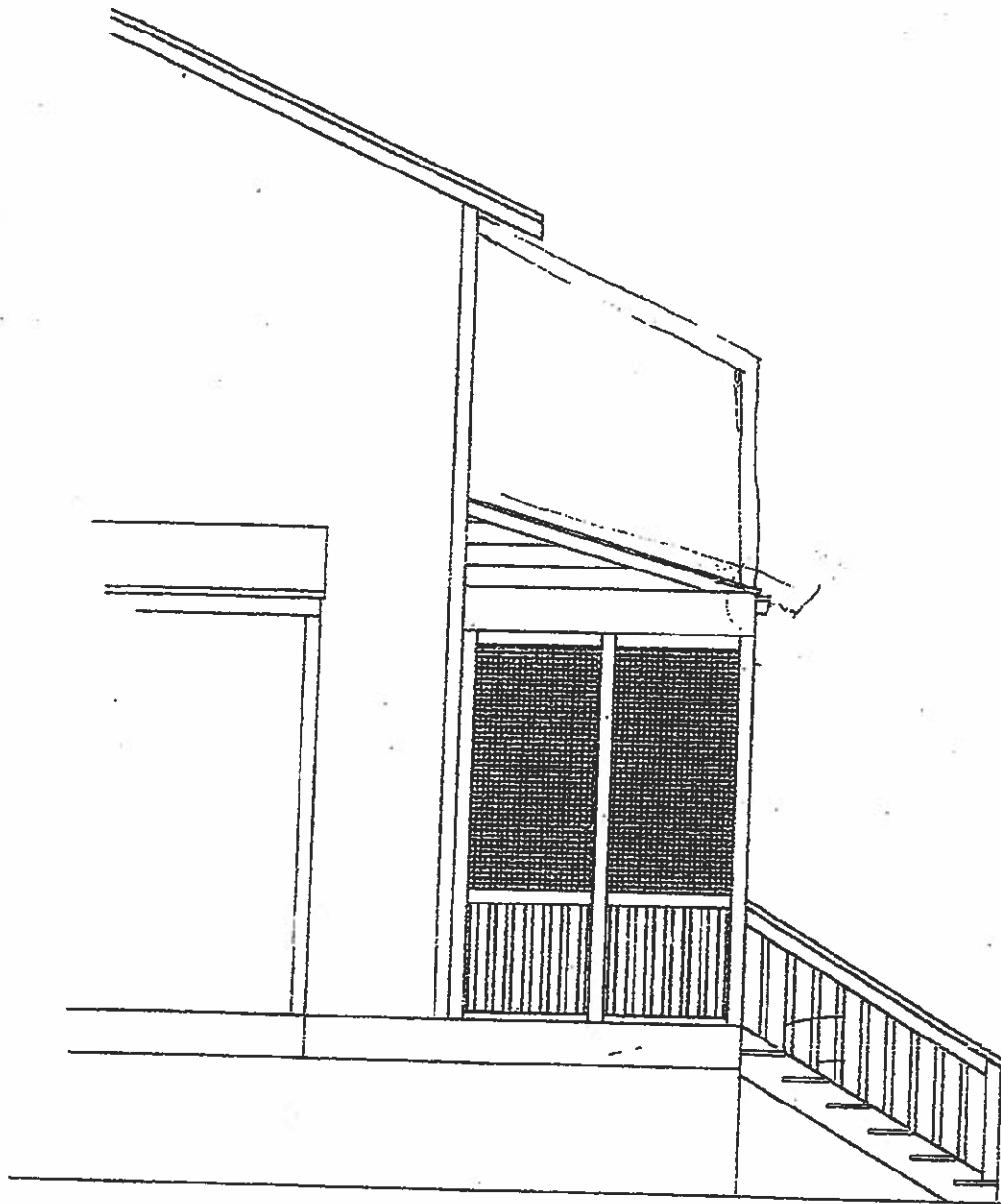
General Contractors Name & Contact #: \_\_\_\_\_

Date Mariner's Walk Board Approved: \_\_\_\_\_

Date Engineer Contacted: \_\_\_\_\_

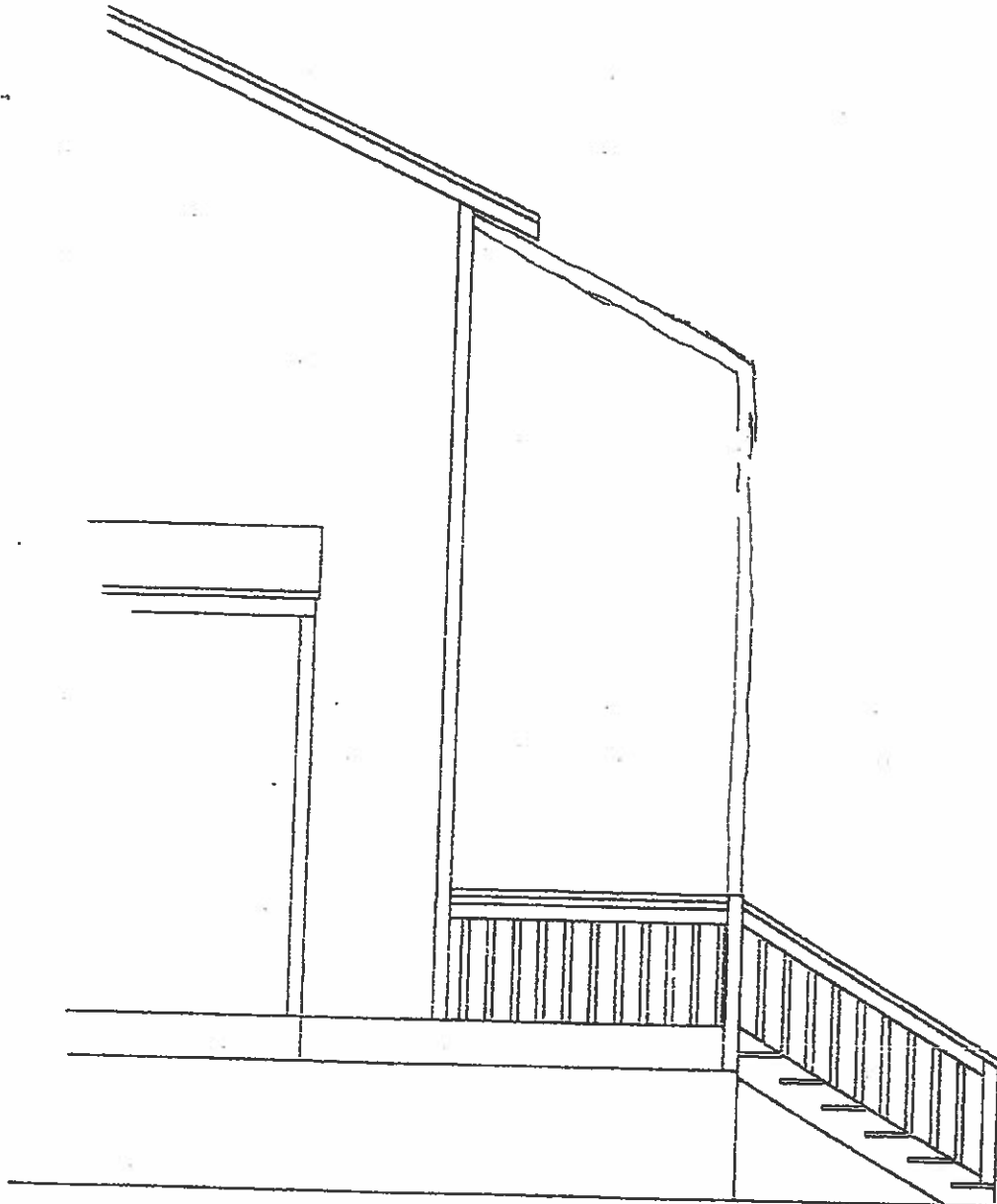
Date Owner Notified of Approval: \_\_\_\_\_

Managers Signature \_\_\_\_\_ Date: \_\_\_\_\_



② PARTIAL RENOVATED SIDE ELEVATION  
SCALE 1/4" = 1'-0"

1. G.C. SHALL MATCH ALL ROOF SLOPES, AND FASCIA HEIGHTS. ALL MATERIALS TO MATCH EXISTING
2. THE BOTTOM OF ALL SCREEN ROOM HEADS ARE AT 8'-0" A.F.F. TYP.
3. ALL EXISTING WINDOWS AND DOORS SHALL REMAIN



① PARTIAL EXISTING SIDE ELEVATION  
SCALE: 1/4" = 1'-0"

# XXX MARINERS WALK

### PARTIAL REAR ELEVATION

[illegible]

Project Number  
**04-251-025**

Sum 1 2 3

# EXISTING HOUSE

EXISTING SLIDERS TO REMAIN

EXISTING

LINE OF EXISTING SOFFIT

EXISTING DECK JOISTS & 5/4 BOARDS TO REMAIN

REMOVE EXISTING  
ANDRAILS TYP.

REMOVE EXISTING  
4 RAILING POSTS TYP.  
REMAIN

EXISTING STAIRS

① DEMOLITION PLAN  
SCALE 1/4" = 1'-0"

NEW 2  
36" AE  
2x2 PL

NEW SI  
SCREEN

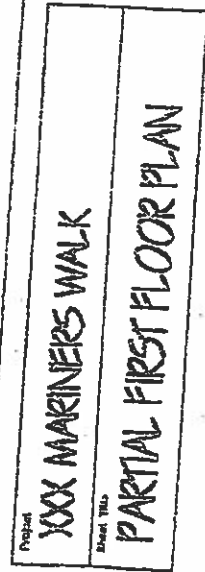
NEW 4x  
STRAP 1  
TRIPLE

EXISTING  
TO REMAIN

②  
AT

1. G.C. SHALL FIELD VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS IN FIELD PRIOR TO CONSTRUCTION AND CONTACT ARCHITECT WITH ANY DISCREPANCIES
2. G.C. SHALL ENSURE COMPLIANCE

- |  |  |
|--|--|
|  |  |
|  |  |
|  |  |

[illegible]

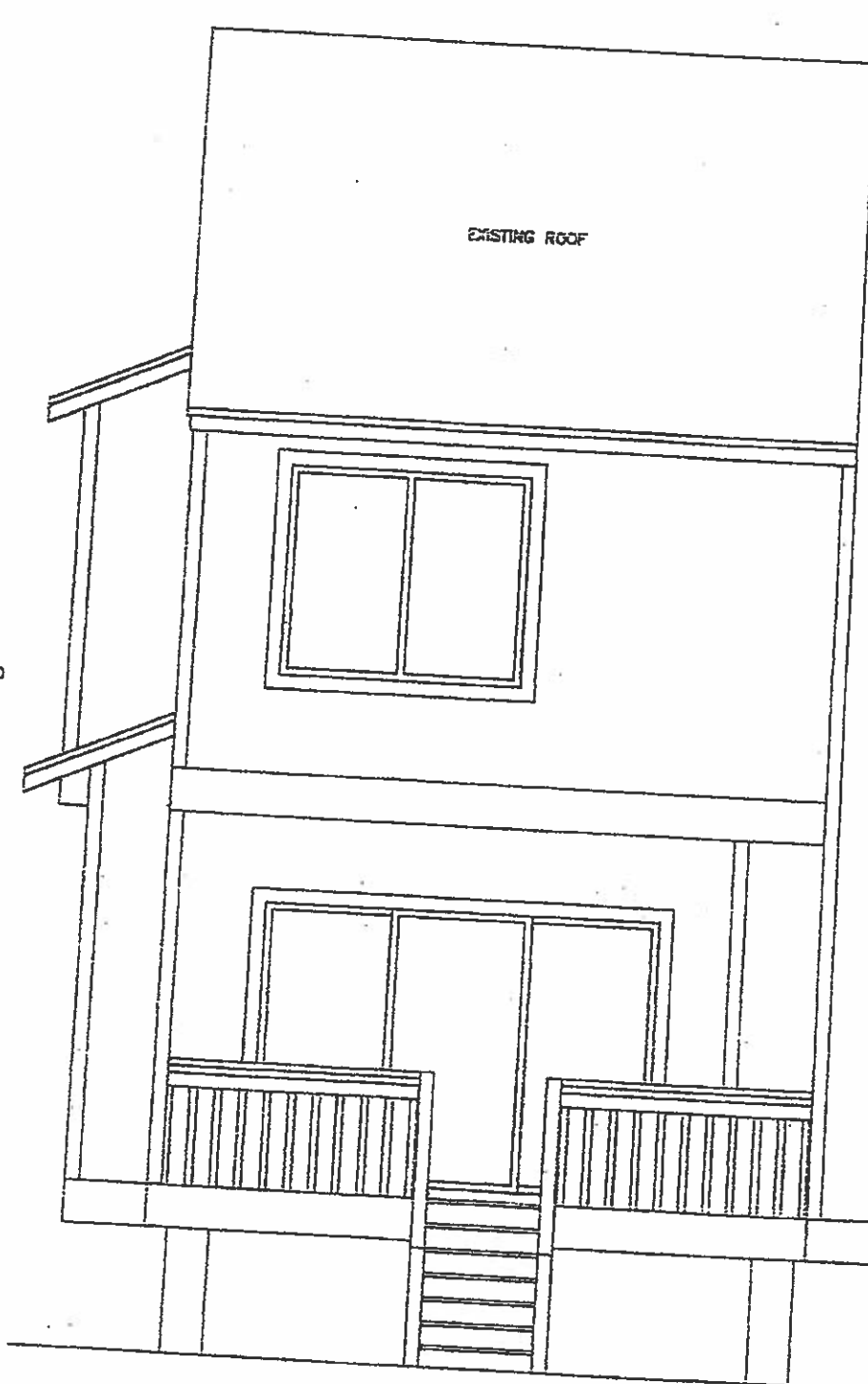
1000 1000 1000

Pro Number  
04-251-023

Page 1 of 3

# GENERAL NOTES

1. G.C. SHALL MATCH ALL ROOF SLOPES, AND FASCIA HEIGHTS. ALL MATERIALS TO MATCH EXISTING.
2. THE BOTTOM OF ALL SCREEN ROOM HEADS ARE AT 8'-0" A.F.F. TYP.
3. ALL EXISTING WINDOWS AND DOORS SHALL REMAIN.



REMAIN UNCHANGED

① PARTIAL EXISTING REAR ELEVATION  
SCALE 1/4" = 1'-0"

Project  
**XXX MARINERS WALK**

Sheet Title

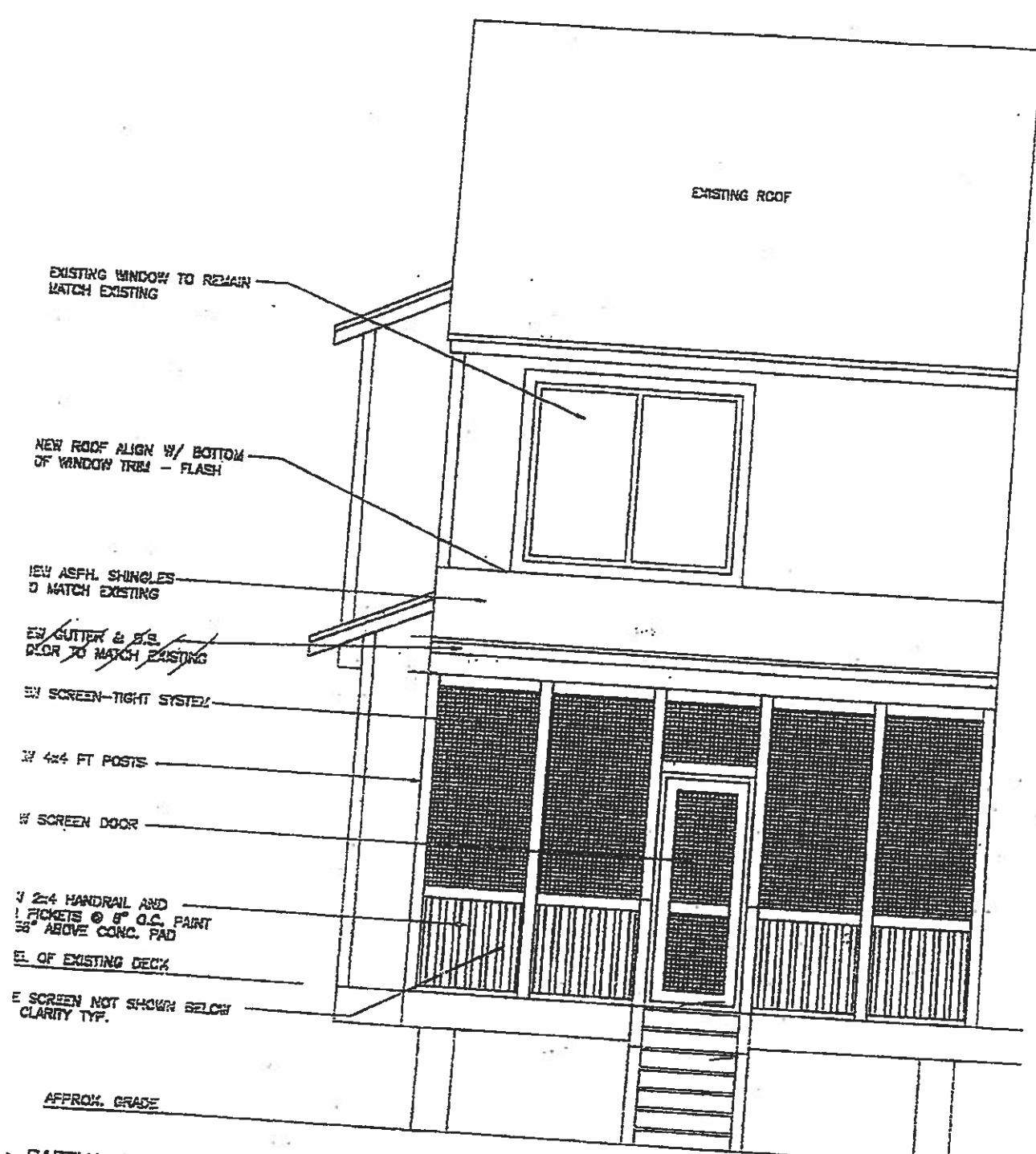
**PARTIAL REAR ELEVATION**

2. A. in Charge  
A. Addison, AIA, LEED  
Project Architect/Architect  
A. Addison  
Drawn By  
JCS / JCS  
Date Stamp  
5/4/20  
CADD Notes Plot Scale

Issue Date 1/7/20

Project Number  
**04-28-025**

Sheet 1 of 3  
**A2**



ADJACENT LI

PARTIAL RENOVATED REAR ELEVATION  
SCALE 1/4" = 1'-0"