



## VILLAGE OF GOLF Council Meeting Minutes

**Date:** June 14, 2017  
**Time:** 9:04 a.m.  
**Location:** Council Chambers, Village Hall

### **1. Call to Order:**

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Vice Mayor Botos called the meeting to order on the above date and time in the Council Chambers located at Village Hall, 21 Country Road, Village of Golf, Florida.

### **Pledge of Allegiance:**

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Vice Mayor Botos led the Pledge of Allegiance.

### **Roll Call:**

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Present were: Vice Mayor Botos and Council Members Duane and Windle. Also present were Village Manager Thrower, Village Clerk Lynn, Village Attorney Biggs, and other interested residents. Mayor Lynch was not in attendance and Council Member Buchanan participated by phone.

### **2. Additions/Deletions/Reordering**

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n/a

### **3. Consent Agenda**

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- a. **Receive and File:** Statement of Revenue and Expenditures for the Fiscal Period Ending May 31, 2017.
- b. **Approval of:** May 17, 2017 Council Meeting Minutes.
- c. **Approval of:** Piggy-Back Agreement between the Village of Golf and Bergeron Emergency Services, Inc.

**Action:** Motion was made by Council Member Windle and seconded by Council Member Duane and unanimously carried to approve the Consent Agenda. Voice Vote Showed:  
**AYES - 4**  
**NAYS - 0**

Council later rescinded the approval of 3c. Vice Mayor Botos was concerned that a 30 day terminating agreement was not in the Village's best interest. After Council discussion, Council Member Windle made the motion to change the agreement to a 90 day termination agreement.

**Action:** Motion was made by Council Member Windle and seconded by Council Member Duane and unanimously carried to approve the piggy-back agreement with the termination requirement changed from 30 days to 90 days. Voice Vote Showed:  
**AYES - 4**  
**NAYS - 0**

#### **4. New Business**

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**a. Approved the Site Plan Review for 21 Country Road South;** construction of a 6,485 sq. ft. home with 4 bedrooms, 5 ½ bathrooms, a 3 car garage with a pool.

Manager Throver received positive feedback from the Architectural Review Committee and the plans meet FAR and all setbacks. Mr. Wietsma gave a brief presentation and was available to answer questions. Mr. Wietsma explained that this would be a 2 year build, with the exterior being completed this building season and the interior to be completed in the following building season. Council requested that the pool not be viewable from the tees on the golf course. Mr. Wietsma reassured Council that the pool would not be viewable.

**Action:** Motion was made by Council Member Windle and seconded by Council Member Duane and unanimously carried to approve the site plan with the understanding that the exterior would be completed this season and interior work would restart when the building season opens in April of 2018 and the pool would not be visible from the golf course tees. Voice Vote Shown:  
**AYES - 4**  
**NAYS - 0**

**b. Approved First Reading of Ordinance No. 117;** An Ordinance of the Village Council of the Village of Golf, Florida, amending Ordinance No. 104 entitled: Floodplain Management Ordinance of the Village of Golf to update the date of the Flood Insurance Study and Flood Insurance Rate Maps; providing for applicability; providing a conflicts clause; a severability clause and authority to codify; and providing an effective date.

Attorney Biggs read the Ordinance by title only.

**Action:** Motion was made by Council Member Duane and seconded by Council Member Windle and unanimously carried to approve First Reading of Ordinance No. 117. Voice Vote Shown:  
**AYES - 4**  
**NAYS - 0**

#### **5. Public Participation**

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Dr. Eva Styperek-Grohmann presented an update of the construction at 52 Country Road South. The Village Manager reported that currently all completed work has passed inspection and the only upcoming changes to be submitted to the building official is the change from regular hot water heaters to gas tankless hot water heaters.

Dr. Grohmann asked why they could not remain under the owner/builder status. Attorney Biggs explained that the Florida Building Code requires that the owner must be on site to oversee all aspects of construction and the owner/builder cannot have an agent as a stand-in on the job site.

Upon completion of discussion, Vice Mayor Botos asked Dr. Grohmann if it was possible to have the exterior completed along with complete landscaping by the end of this season and the interior completed by the end of next building season. Dr. Grohmann felt that it was possible and that was her plan, subject to some remodeling work on the interior at a later date.

Vice Mayor Botos asked Dr. Grohmann if she wanted the Council to approve the issuance of a building permit on the terms outlined by Council. Dr. Grohmann confirmed her request for the issuance of the permit but objected to the double permit fee.

Vice Mayor Botos passed the gavel to Council Member Duane and made the following motion: A master permit may be issued to a licensed general contractor; a double permit fee will be assessed, exterior construction and landscaping must be completed by December 1, 2017; subject to owner's compliance with the Dec. 1, 2017 deadline, to extend the permit into the next building season for the completion of the interior work prior to the expiration of the 2018 construction season. Failure to complete the exterior by end of the 2017 construction season or the interior by the end of the 2018 building season would result in monetary penalties as provided in the Village's Building Code. Except as provided in this motion, the terms of the Village's letter to the Grohmann's dated May 24, 2017 would apply.

The above referenced letter has been attached to and made part of these minutes.

**Action:** Motion was made by Council Member Botos and seconded by Council Member Windle and unanimously carried to approve the reissuance of the Grohmann permit with the above conditions. Voice Vote Showed:  
**AYES - 4**  
**NAYS - 0**

## **6. Manager's Report**

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The gavel was returned to Vice Mayor Botos and,

The Manager reported the following:

- **Medical Marijuana:** at a special session the legislature passed the medical marijuana bill. It is expected that the Governor will sign it into law. Staff will do research as to see what the ramifications could be for the Village.

## **7. Council Comments**

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n/a

## **8. Adjournment**

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**Action:** Motion was made by Council Member Duane, seconded by Council Member Windle and unanimously carried to adjourn the meeting at 10:03 a.m. Voice Vote Showed:  
**AYES - 4**  
**NAYS - 0**

Respectfully submitted,

Donn M. Lynn



ADMINISTRATION: 21 Country Road • Village of Golf, FL 33436-5299 • (561) 732-0236 •

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May 24, 2017

Mr. J. Grohmann and Dr. K. Styperek-Grohmann  
52 Country Road South  
Village of Golf, FL 33436

RE: 52 Country Road South (the "Property"); **NOTICE OF EXPIRATION OF BUILDING PERMIT-REQUIREMENT TO OBTAIN NEW PERMIT AT THE PROPERTY**

Dear Mr. Grohmann & Dr. Styperek-Grohmann:

I am writing on behalf of and at the direction of the Village Council regarding the construction activities at the Property. I have been requested to provide you with the above notice regarding the expired building permit at the Property and to inform you of the various requirements and authorizations under state and local law that apply to the Property; and to alert you to issues concerning any reissuance of a building permit for future construction work.

The following are applicable to the Property and please be aware that the Village Council is extremely concerned about the lack of construction progress at the Property and is united in their resolve in seeing that the work which has been underway at the Property since 2012 be completed as soon as possible.

1. The Village has adopted Chapter 1 of the Florida Building Code concerning administration of such code through the adoption of Ordinance No. 114 on November 18, 2015 (the "Code"). Sec. 105.4.1 of the Code states that "Every permit issued shall become invalid...if the work authorized by such permit is suspended or abandoned for a period of 6 months after the time the work is commenced." Pursuant to Sec. 105.4.1.3, "Work shall be considered in active progress when the permit has received an approved inspection within six months" and the last inspection performed at the Property was November 16, 2016; thus, Permit No. 15161 expired on May 16, 2017 (the "Expired Permit"). See the attached Permit timeline for Grohmann Residence.
2. Sec. 105.4.1.1 of the Code provides that "If work...expires because of abandonment, then a new permit... shall be obtained before proceeding with the work [and]... work under that permit that has already commenced is subject to removal as provided in Sec. 105.4.1.2."
3. The Expired Permit was for an Owner/Builder permit that is further regulated by Sec. 489.103, F.S. (the "State law"). The State law requires that any owner/builder "must provide direct, onsite supervision of the construction", that such owner "may not delegate responsibility for supervising work to a licensed contractor who is not licensed to perform the work being done" and that the owner must ensure that persons employed by them "have licenses required by law and by county or municipal ordinance." It was clear from interactions at the Property and otherwise with Village officials that these conditions had not been

met at the Property under the former permit, nor could they conceivably be guaranteed for any future work. Therefore, any future permit must be issued to a general contractor for the remaining work to be completed at the Property.

4. Sec. 105.4.1.4 of the Code also provides that "...any second ...extension approved by Village Council shall cause the applicant to incur additional fees and costs of two (2x) times the original permit fee; and should the applicant fail to timely complete the project by the extension date so granted, a penalty in the amount of two hundred (\$200.00) dollars per day shall automatically accrue and shall continue each day until completion."

The Village Council desires that all construction work at the Property be completed by December 1, 2017, in this instance, due to the inordinate amount of time this project has taken which has been far in excess of any other home construction/remodeling ever undertaken within the Village. Ultimately, Sec. 105.4 of the Code authorizes the Village building official "...to prevent occupancy or use of a structure where in violation of this code or any other ordinances..."

In light of the references hereinabove to the Code and to the State Law, please contact me as soon as possible so that penalties and other remedies provided for under such laws may be limited in their application to the Property.

Should you require additional information regarding the issues discussed in this letter, feel free to contact me by telephone at 561-732-0236 or via email at [cthrower@villageofgolf.org](mailto:cthrower@villageofgolf.org).

Sincerely,



Christine M. Thrower, MBA  
Village Manager

pc: Honorable Mayor Lynch and Village Council  
Bradley W. Biggs, P.A., Village Attorney  
Building Official Mike Crisafulle  
Dr. K. Styperek-Grohmann - 2314 S. Seacrest Blvd, Suite 201, Boynton Beach, FL 33435



## GROHMANN RESIDENCE – 52 Country Road South

### **Master Permit – Owner/Builder**

- March 14, 2012 Permit Number 2604
- August 4, 2013 Permit Number 2787
- September 14, 2015 Permit Number 15161
- May 17, 2016 Permit Number 15161 extension

Last inspection was on November 16, 2016 – Tie Beam  
Permit Number 15161 expired on May 16, 2017

### **Budget Fence**

- December 18, 2014 Permit Number 15047

Final inspection was on December 30, 2014 - failed.  
Re-inspection fee not paid and re-inspection was not scheduled.  
Permit expired on June 30, 2014

### **Whale'n Air**

- January 13, 2015 Permit Number 15052  
Rough inspection was on January 20, 2015 – passed  
Permit expired on July 20, 2015
- September 9, 2015 Permit Number 15159  
Permit expire on March 9, 2015

### **Custom Plumbing**

- June 14, 2012 Permit Number 2637  
Permit expired
- August 8, 2013 Permit Number 2789  
Last inspection 2<sup>nd</sup> rough/top out – failure  
Permit expired
- July 11, 2016 Permit Number 16085  
Permit expired on January 11, 2017