

MAR 19, 2013 PH-1  
PROVIDED BY  
WARREN ULLMAN

**RESIDENT INFO & OUTLINE OF PRESENTATION REGARDING COMPLAINT TO FLL CITY COUNCIL 3/19/13 CONCERNING REQUESTED WAIVER OF LIMITATIONS OF ULDR Sec.47-19.3D.& E FOR GILLES BLONDEAU PROPERTY LOCATED AT 3012 NE 20th COURT FOR as presented BY H. WARREN ULLMAN, JR:**

**I. INTRODUCTION:**

- A. NAME:** I am: H. Warren Ullman, JR.,
- B. RESIDENCE:** 3031 NE 20th Court,
- C. LOCATION:** Relative to the location and address in question for Gilles Blondeau, 3031 NE 20th Court is 2 houses east of subject property, but on the north side of 20th Court.
- D. LENGTH OF RESIDENCE:** lived at present location for 21 years (total of 37 in Fort Lauderdale)
- E. PROFESSION:** CPA and business consultant and land developer
- F. FAMILY STATUS:** Married with 20 year old son in college
- G. MARINE/AIRPLANE EXPERIENCE:** Owned two boats, last of which was a twin inboard engined 33' Sea Ray Sundancer and four high performance airplanes, 2 of which were twin engine.

**II. BACKGROUND:**

**NOTIFICATION:** Found out about current request for waiver by "Public Notice" in the mail and heard expressions of concern from some neighbors on the waterway where the waiver location is requested. I experienced no communication or request from Gilles Blondeau or representative(s).

**III. FACTS CONFIRMED BY CODE AND DOCUMENTS PROVIDED CITY COUNCIL:**

- A. PRESENT LAW & FACTS:** Per Fort Lauderdale City the "Code requires that pilings to be placed within 30% of the waterway or 25 feet, whichever is less, unless authorized by the City Commission".
- B. Blondeau's pilings** admittedly exceed allowed by Code by 20 feet, 45 feet vs. maximum allowable distance of 25 feet (80% in excess of allowable distance from "wet seawall",
- C. Blondeau does not have a building permit** for pilings as installed,

- D. **Blondeau had installed and contractor has installed pilings without required building permit, and therefore both knowingly violated City Code,**
- E. **Currently requested waiver of distance of piling from the "wet seawall" is "after the fact" knowingly, intentional illegal installation.**
- F. **Contractor, Broward Dock & Seawall and manager, Jerry Wooten, intentionally and knowingly violated City Code for distance of pilings from the seawall and failure to obtain a building permit for work they performed.**

**IV. CONCERNS BY ME:**

**A. "PPP & NR": PRECEDENT, PROCEDURE, PENALTIES AND NO REPRESENTATIVE :**

1. **WAIVER REQUEST: Failure to NOT approve Code violations like Blondeau's would have helped prevent a "PRECEDENT" from being created. Substantial "PENALTIES" to owners and contractors would have helped too. This Blondeau request for a waiver of the location of the pilings located at 3012 NE 20th Court is for distance of admittedly 80% further than allowed (45' used for a 25' limit). Would the Fort Lauderdale Police Department waive my excess speed of 45 MPH in a 25 MPH speed zone. I do not think so, nor would the City Commission approve such a speed waiver! What is the difference between these two City Code enforcement?**
2. **Predecessors of existing City Commission has allowed a PRECEDENT to be established & expected: The precedent is to just build docks, pilings and related facilities as they desire and then just go to the City Commission and get a waiver, "after the fact" such as the Blondeau request before you tonight.**
3. **This expanding "PRECEDENT" has to be STOPPED & REVERSED. If building "PROCEDURES" required piling permits to be issued by the City before construction began on dock & pilings and appropriate inspections were made, this could not happen.**
4. **This waiver application and "RECOMMENDATION" by memo, dated March 19, 2013, from City Manager, Lee Feldman, is actually a "rubber stamp" of the City of Fort Lauderdale's Marine Advisory Board, which is dominated by marine interest who are not concerned about Fort Lauderdale citizens' property rights.**
5. **NO REPRESENTATION ("NR") for District 2 citizens (see "request" below)**

**B. ACTUAL CODE VIOLATION MAY BE WORSE THAN AGREED UPON FACTS ABOVE:**

- 1. Eastern newly installed piling cluster does not appear to be on Bloudeau's property, but illegally installed on eastern neighbor's (Donnelly) property.**
- 2. The alleged distance in the waiver requested of 45 feet may be exceeded by several more feet when measuring the distance of the cluster pilings location from the "wet seawall" rather than from the edge of the dock.**

**v. REQUEST OF CITY COUNCIL:**

- A. DISAPPROVE the WAIVER request by Blondeau and PROTECT THE PROPERTY RIGHTS of those in the lake of the subject property, and all COMPARABLE WATER FRONT PROPERTIES IN FORT LAUDERDALE.**
- D. If you are considering APPROVAL of the waiver, please table the request. I consider such approval action to be continued abuse of the City Code and Citizens' property rights. The waiver request should be turned down. If tabled, time would be available so a study can be completed to advise you of "PPP" (PRECIDENT, PROCEDURE & PENALTIES) related to code errors, violations and corrections to be made. A table of the waiver request , if for no other reasons, would allow effected City District 2 residents to meet with their new representative, Mr. Dean Trantalis, about these issues. Mr Trantalis is just being sworn in tonight. District 2 residents have not had representation on the City Commission regarding any current issues,**
- E. Severe "PENALTIES" should be assessed the property owner, the Contractor and related manager for the Code violations. These "PENALTIES" should consist of substantial and material fines (thousands of dollars) and restrictions on future Fort Lauderdale contracting for a year or more. The restrictions should be such that the Contractor and related manager cannot circumvent the restrictions by use of other and/or subsequent entities that may be formed to avoid the restrictions**
- F. Any current and future violating Contractor and/or manager contracts with the City should be terminated and not allowed for a year or more.**
- G. Only with these severe "PENALTIES" will future residential and commercial applicants be incentized to follow and obey the Code. Otherwise, the future violators will know that the former "build as you want and get City Council waiver approval after the fact" precedent will be followed, as in the past.**
- H. If the City Commissions wishes to allow changes in the code created by waivers allowed in the past, change the City of Fort Lauderdale Code accordingly.**

- I. The City Council should consider revising its **BUILDING PERMIT AND INSPECTION "PROCEDURES"**, to prevent the Blondeau comparable case from reoccurring.
- J. The City **"Marine Advisory Board"** should include more non-marine industry residents
- K. City Manager should adopt a **PROCEDURE** and review process to prevent "rubber stamping" recommendations from **"Marine Advisory Board"** which may have missing and/or incorrect information
- L. Clarification needs to be made of the purpose of the **"Marine Advisory Board"** which appeared that its only interest was in "safety" issues when it gave a blank recommendation for approval of waiver request to City Council.

**VI: Questions ?**

**VII: THANK YOU FOR YOUR VALUABLE TIME AND ATTENTION.**

**BY: H. Warren Ullman, Jr.**