

Board of County Commissioners

**Applications for Semi-Private Boat Ramp
and Conservation Area Impact Permit**

BR-22-09-001 and CAI-22-12-081

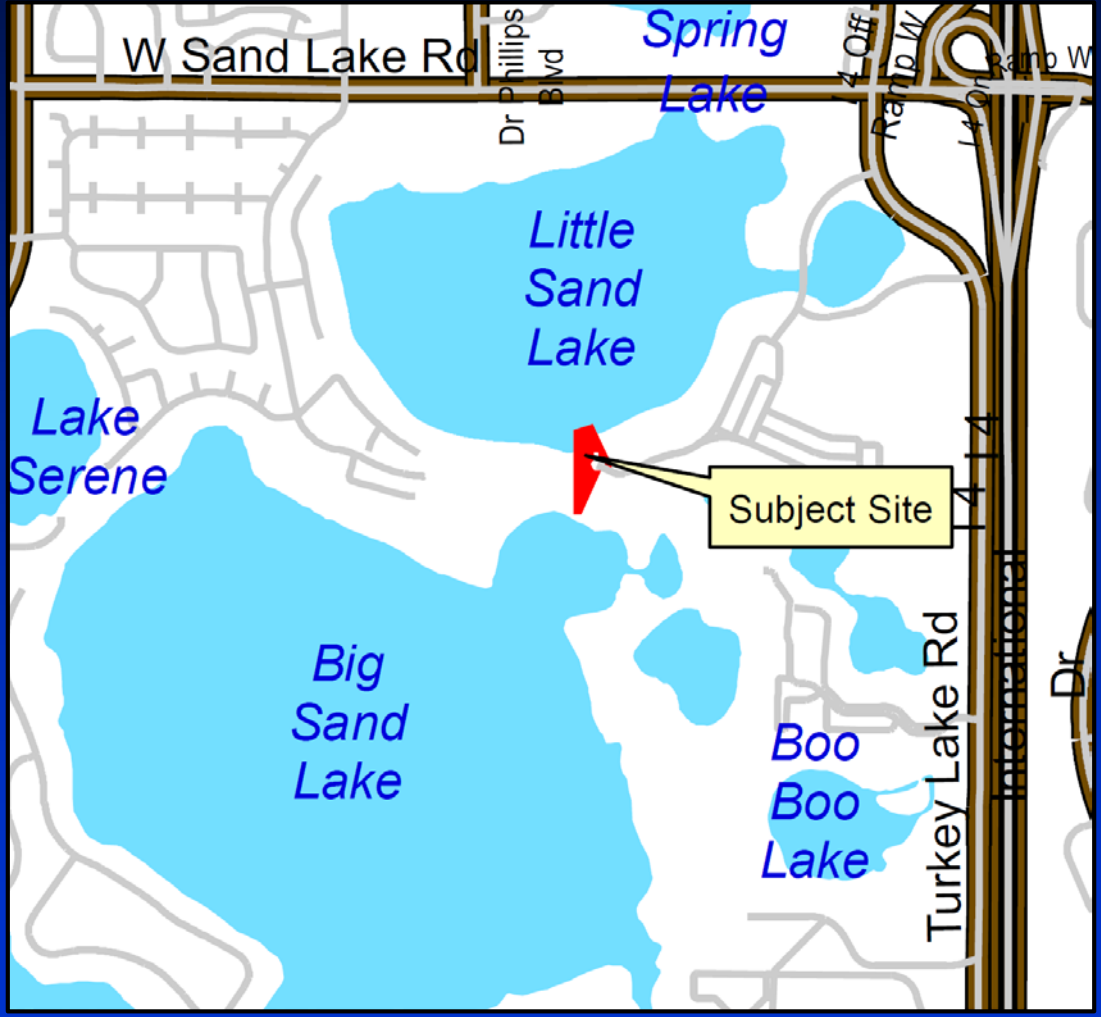
**Applicant: Sand Lake Sound Homeowners
Association, Inc.**

November 19, 2024



Location Map

7565 Alpine Butterfly Lane, Orlando, FL 32819



Parcel ID No.: 35-23-28-7841-00-009



Aerial Photo

7565 Alpine Butterfly Lane, Orlando, FL 32819



Parcel ID No.: 35-23-28-7841-00-009



Site Photos



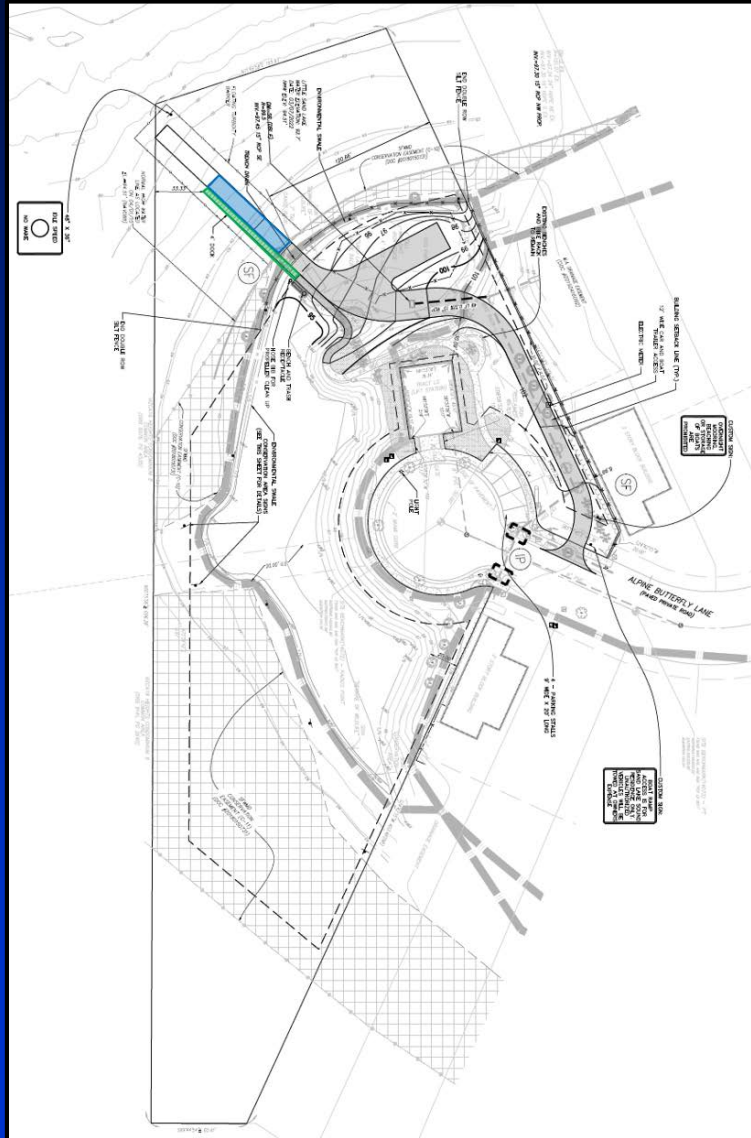


Semi-Private Boat Ramp Request

- **The proposed boat ramp will be 12-feet wide and extend 66-feet waterward of the Normal High Water Elevation of Little Sand Lake with a 4-foot wide companion dock, as required by Orange County Code.**
- **The subject parcel is designated as a recreation and boat ramp tract on the recorded plat and is adjacent to a narrow flow-way between Little and Big Sand Lakes.**
- **Utilization of the proposed boat ramp will be solely for the residents of the Sand Lake Sound subdivision and their customary guests, when the resident is present.**

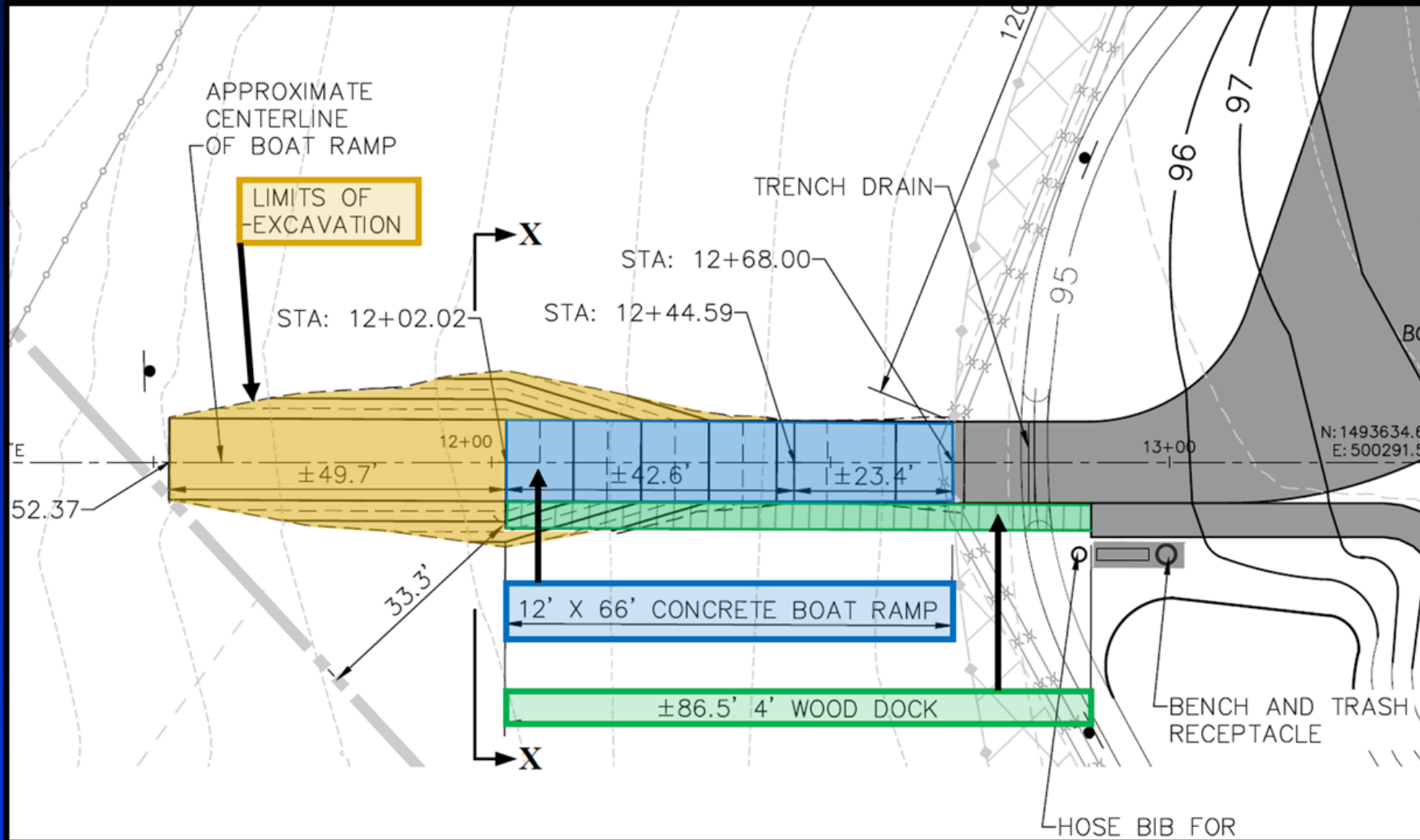


Semi-Private Boat Ramp Site Plans





Semi-Private Boat Ramp Site Plans





Chapter 15, Article XV – Review Criteria

- **Pursuant to Section 15-605(d)(1), the applicant addressed the following 15 criteria:**
 - (a) The potential number of additional users of the waters that would result from approval of the boat ramp facility;**
 - (b) Number of existing boat ramps and similar recreational uses on the waters and the extent to which such existing boat ramps and similar recreational uses to the waters are available to the public;**
 - (c) Noise impacts on residents living directly adjacent to the waters;**
 - (d) The impact that the proposed semi-private boat ramp facility will have on that adjacent area; it is the intent of this subsection that strong preference be given to proposed semi-private boat ramp facilities located on internal lots, as opposed to corner lots in a subdivision;**
 - (e) Whether the fish, wildlife, flora and fauna, including endangered or threatened species (as those threatened or endangered species may be defined from time to time by the applicable local, state or federal laws and regulations) or their habitats will be adversely affected;**



Chapter 15, Article XV – Review Criteria

- **Pursuant to Section 15-605(d)(1), the applicant addressed the following items:**
 - (f) Whether the boat ramp facility will adversely affect navigation, water quality, water flow, or cause harmful erosion, shoaling, or sediment resuspension;**
 - (g) Whether there exists a navigable passage from the boat ramp facility to the waters;**
 - (h) Whether the ecological balance of the waters will be adversely affected;**
 - (i) Whether the boat ramp facility will adversely affect significant historical and archaeological resources as defined by state law;**
 - (j) Whether the boat ramp facility will pose a hazard to normal vehicular traffic as a result of trailering vehicles leaving or entering roads;**
 - (k) Whether the boat ramp facility will pose a hazard to boating traffic on the waters, or otherwise adversely affect public safety, given the number of people using the waters, as well as the size, depth and shoreline configuration and natural contours (i.e., existence of a cove, blind spot, etc.) on the subject waters;**

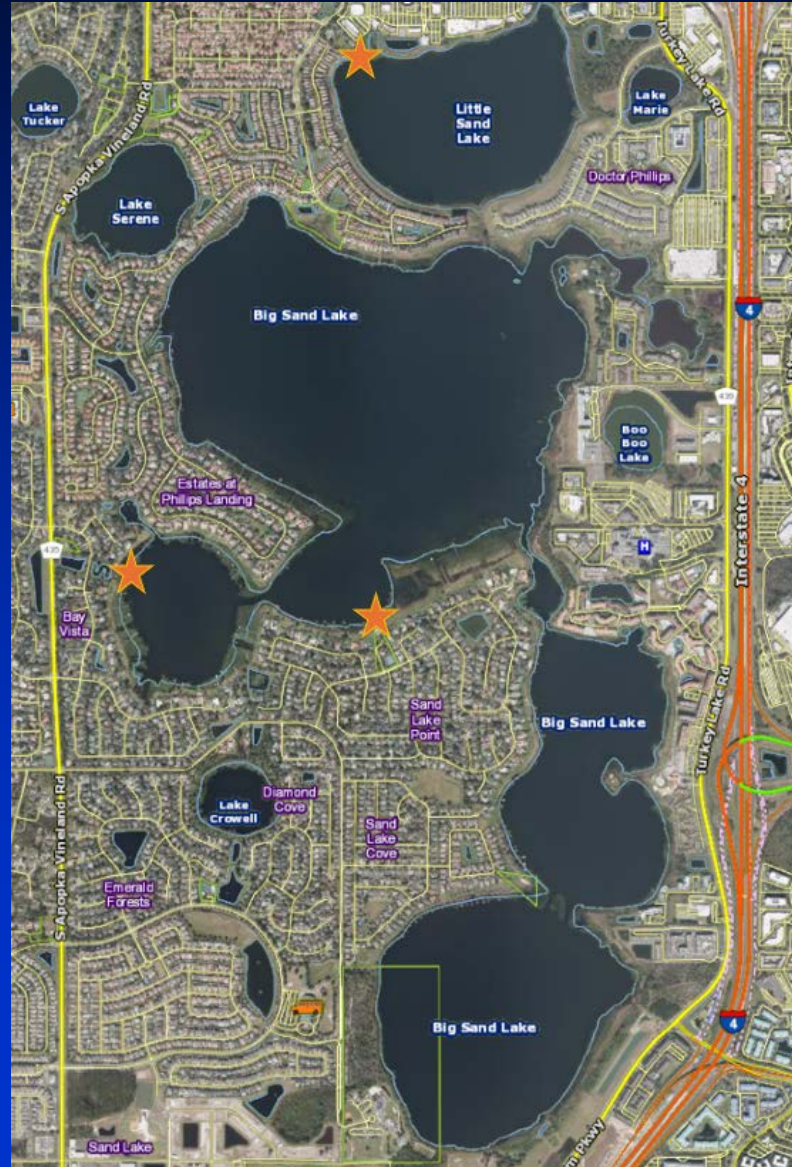


Chapter 15, Article XV – Review Criteria

- Pursuant to Section 15-605(d)(1), the applicant addressed the following items:
 - (l) [Criterion only applicable to lakes with unrestricted public access];
 - (m) Whether the proposed boat ramp facility would adversely affect areas of special concern including, but not limited to, outstanding Florida waters, wetlands, areas which provide habitat for endangered species or threatened species (as those endangered or threatened species may be defined by applicable local, state or federal law or regulations) and conservation areas as defined by, and in accordance with, the Orange County Conservation Ordinance No. 89-8, as amended [article X of this chapter];
 - (n) Interrelationship and organization of multiple uses of the water body that is the site of the proposed boat ramp facility...; and,
 - (o) How the proposed boat ramp will affect existing uses of the water body which is the site of the proposed boat ramp facility.



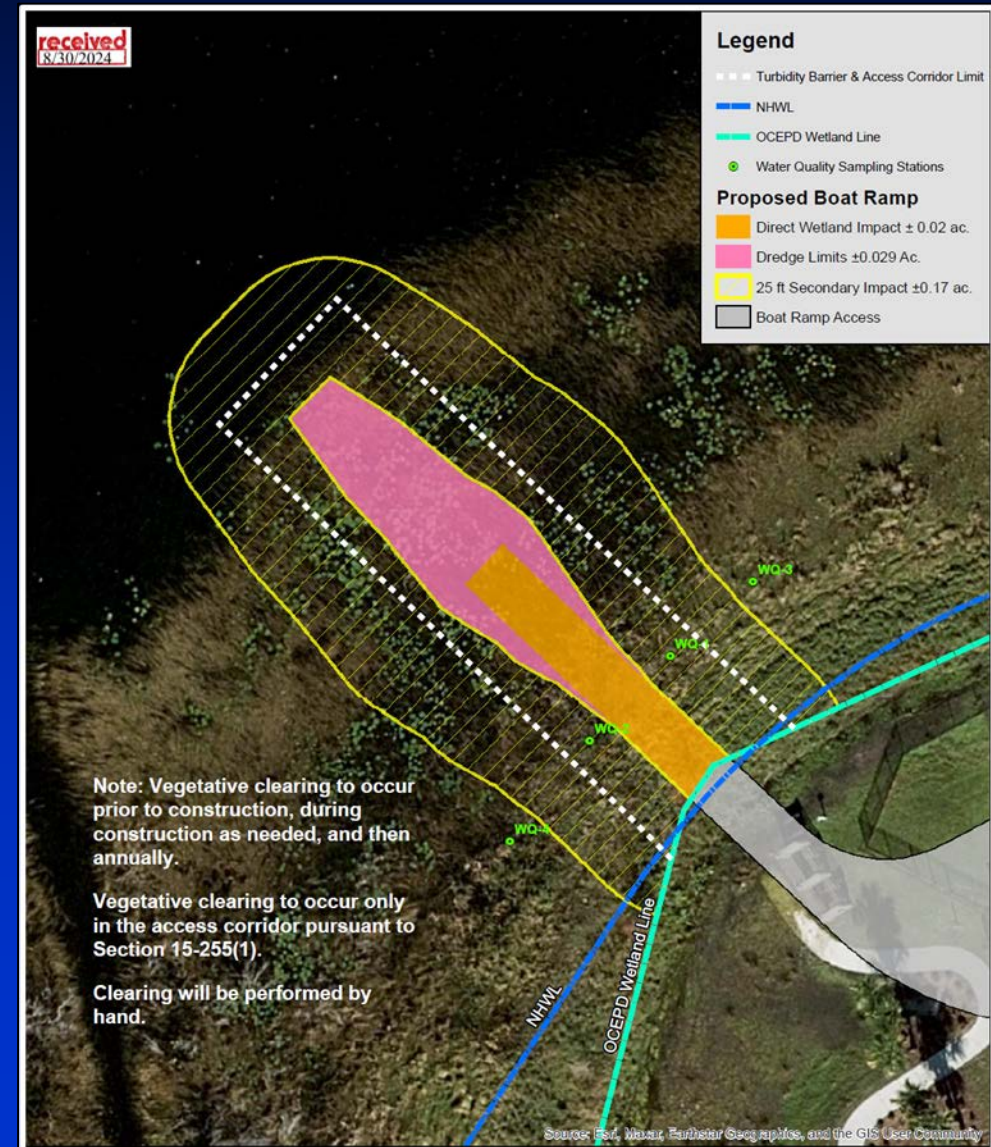
Existing Ramps on Big & Little Sand Lakes





Conservation Area Impact Permit Request

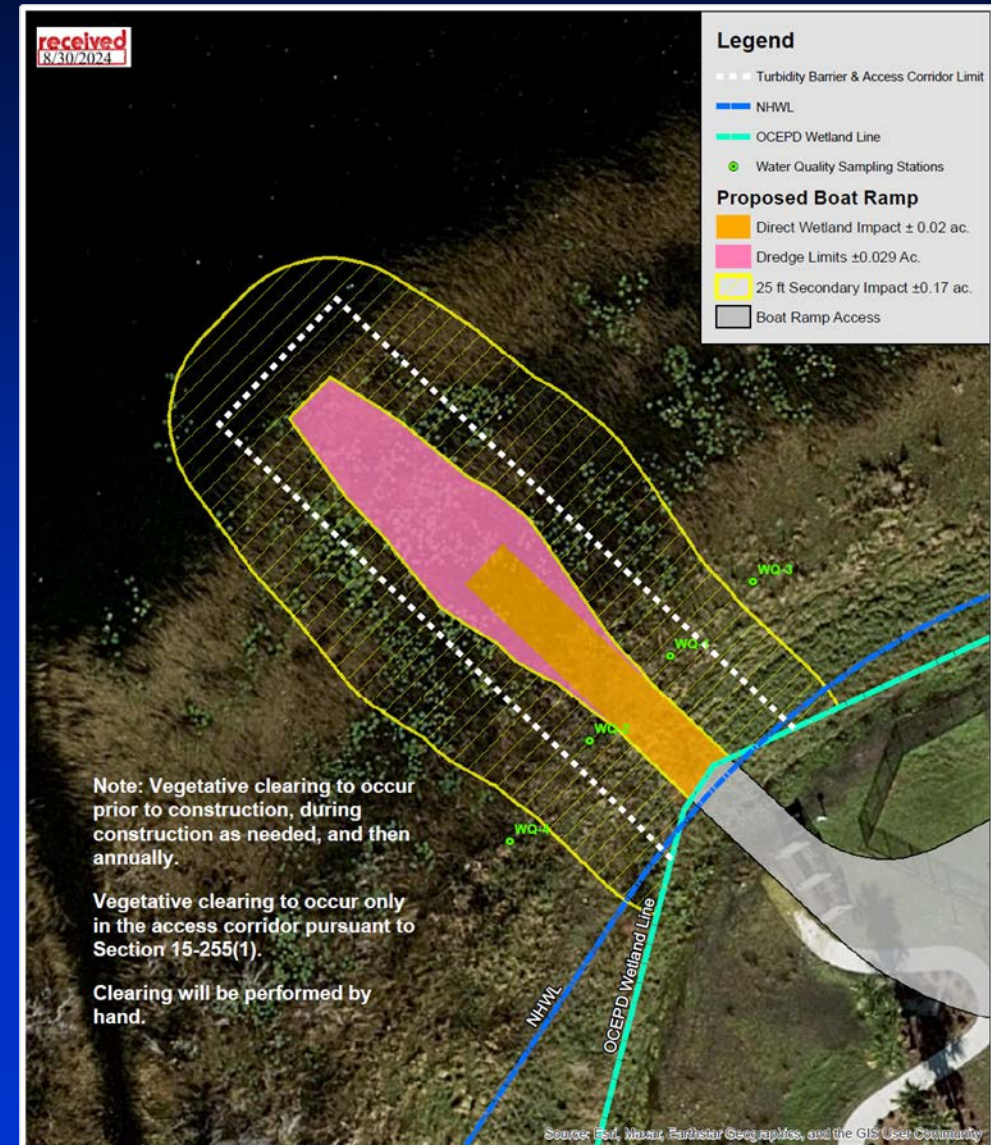
- The applicant is proposing 0.049 acres of direct impacts and 0.17 acres of secondary impacts to Little Sand Lake in order to construct the semi-private boat ramp.
- The direct impacts include:
 - Permanent alteration to the surface water and shoreline wetland and the construction of the concrete ramp (0.02 acre)
 - Dredging of 67.56 cubic feet of lake-bottom sediment to create a 12-foot by 50-foot (0.029 acre) channel at the end of the concrete ramp for adequate water depth and navigation purposes.





Conservation Area Impact Permit Request

- The applicant will install sediment and erosion control measures during construction.
- The applicant will implement a water quality monitoring plan to ensure the construction does not result in a decrease in water quality during the construction period. As part of the plan, the applicant will monitor the applicable water quality parameters and submit reports to EPD on a weekly basis.
- As mitigation for the proposed impacts, the applicant has proposed to make a contribution to the Conservation Trust Fund of \$5,000.





Chapter 15, Article X – Review Criteria

- The project is being reviewed under the prior version of Article X, adopted in 1987, since the application was received December 14, 2022 when that code was in effect.
- Chapter 15, Article X, Section 15-362(5): Where wetlands serve a significant and productive environmental function, the public health, safety and welfare require that any alteration or development affecting such lands should be so designed and regulated so as to minimize or eliminate any impact upon the beneficial environmental productivity of such lands, consistent with the development rights of property owners.
- Chapter 15, Article X, Section 15-396(3)(a): “The removal, alteration or encroachment within a Class I conservation area shall only be allowed in cases where no other feasible or practical alternatives exist that will permit a reasonable use of the land or where there is an overriding public benefit.



Chapter 15, Article X – Review Criteria

- EPD staff has determined that the applicant has demonstrated the proposed site plan allows for reasonable use of the land, that there are no other feasible or practical alternatives available to further minimize or eliminate impacts to the Class I wetlands.
- EPD has determined that the mitigation is appropriate and sufficient to offset adverse impacts to wetlands and surface waters that will occur as a result of the proposed project.
- EPD has determined the request meets the criteria for approval.



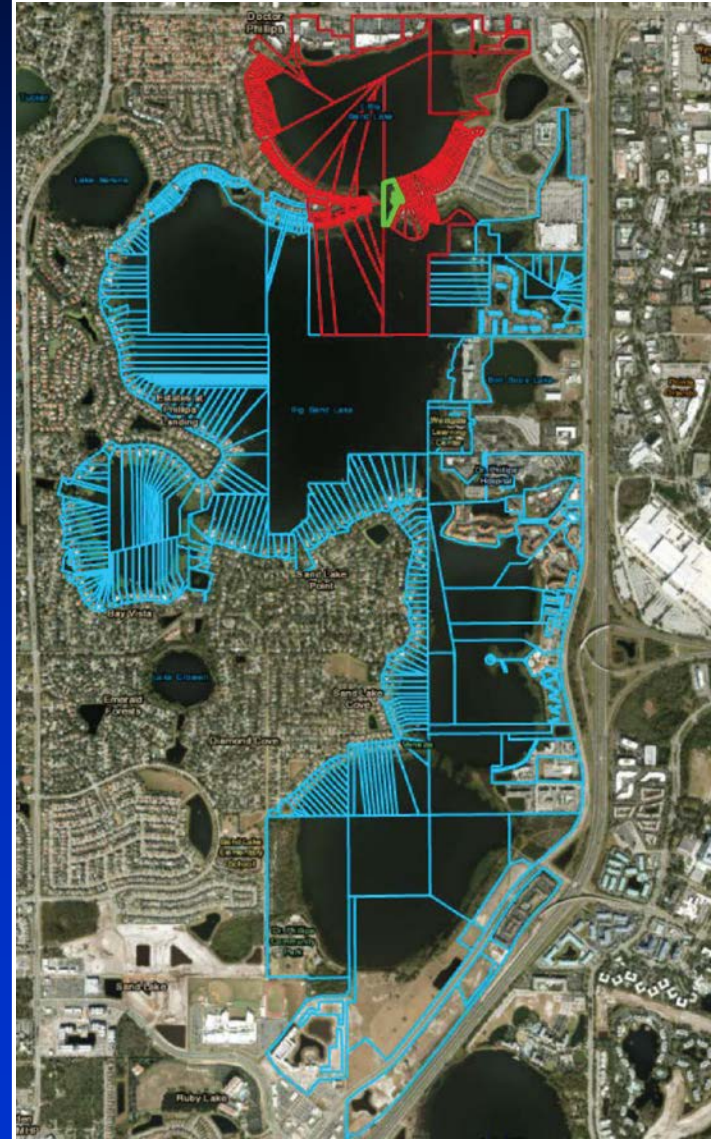
Public Notification

- **The public was notified of the November 19, 2024 public hearing by newspaper advertisement, posting on the subject property, and direct certified mail to all upland owners adjacent to Little Sand Lake in accordance with the noticing requirements set forth in Orange County Code, Chapter 15, Article XV, Section 15-605(d)(2).**
- **Additionally, the applicant agreed to notify upland owners on Big Sand Lake via regular postage mail.**
- **The Big Sand Lake Advisory Board was also notified of the semi-private boat ramp request.**



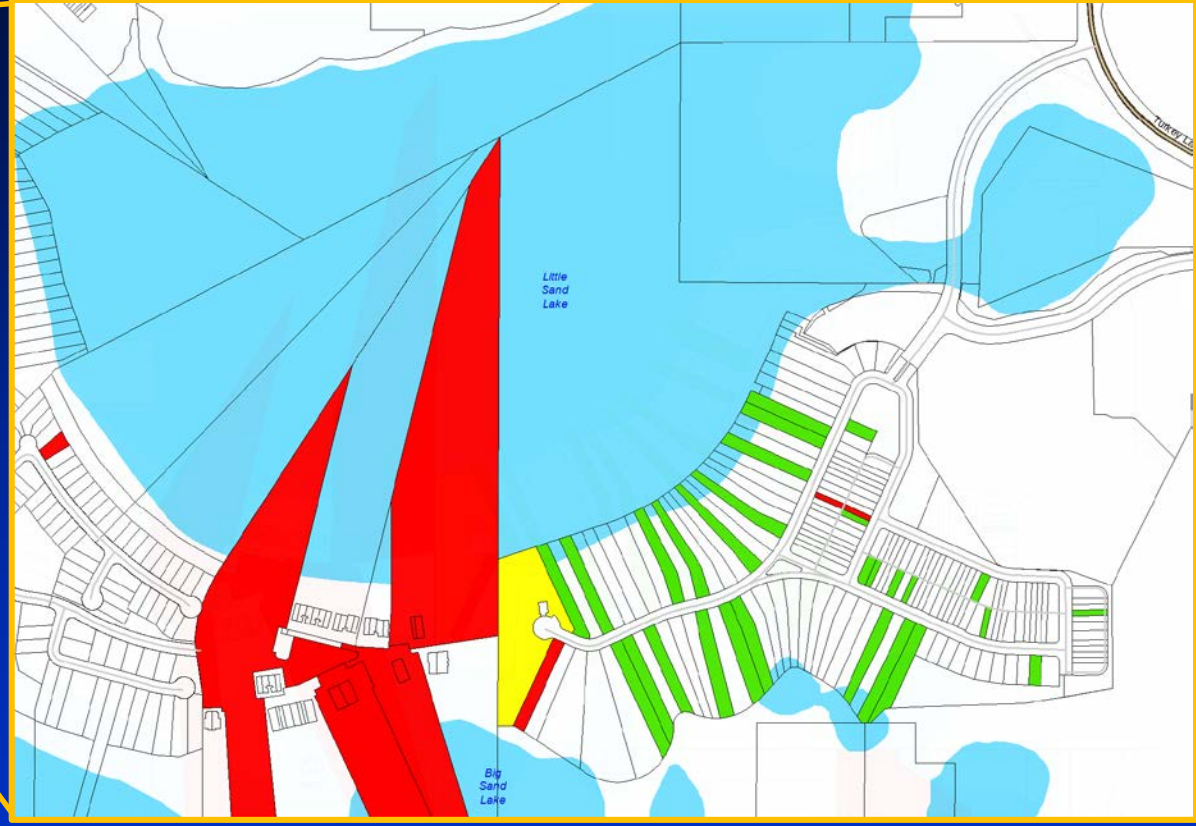
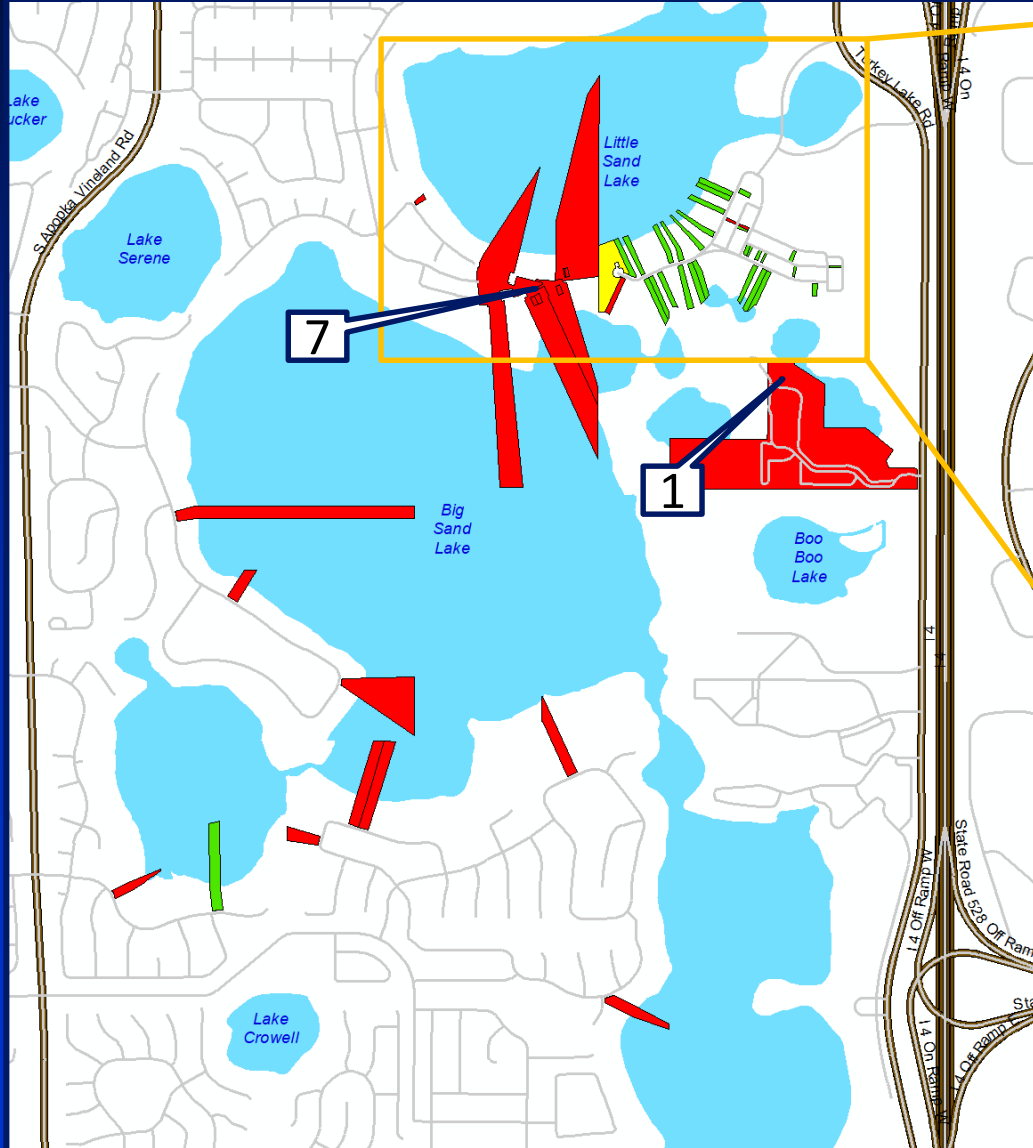
Public Notification

- **Green** = subject parcel
- **Red** = parcels sent a notice via certified mail (340 notices)
- **Blue** = parcel sent a notice via regular mail (840 notices)





Public Notification



- **Yellow = subject parcel**
- **Green = In Favor (30)**
- **Red = Opposed (23)**



Public Notification

Responses In Favor

- *"We have been waiting too long..."*
- *"I have been waiting for this since Jan 2020..."*
- *"We purchased this property...for this ramp..."*
- *"One of the reasons [I] bought this house..."*
- The ramp *"can enhance community engagement"; "facilitates emergency response"*
- They want to *"...open a connecting waterway between..."* the two lakes
- The ramp will help them access the water; they purchased the house to have access to the water
- The ramp will benefit *"...the neighborhood due to enhancement of community amenity also increase of house value"* [sic]
- *"Its will be waste for neighborhood if we can only view the lake and not being able to access the lake."* [sic]
- The ramp *"...would improve the community's recreativity activities and make access to the lake safer..."* [sic]; would increase property values
- *"...will help to improve the quality of life..."*
- The ramp is needed to access the lake; *"The beautiful lake is underutilized"; "How residents are accessing the lake now is more detrimental to the shoreline."*
- The ramp is needed to use docks at night; *"Ramp will improve safety and help preserve the shoreline."*
- without the ramp the community has no access to Little Sand Lake



Public Notification

Responses Opposed

- HOA fees are already high with no ramp (*SLS property owner*)
- The ramp “...will have a negative impact on the environment, lead to more pollution and decrease the quality of life” for owners on both lakes
- “The lakes are overgrown, not taken care of; we don’t need more docks.”
- privacy concerns
- The ramp has “the potential of destroying habitat, increase lake traffic and potential vandalism of existing docks/property”
- Cites high traffic volume and low water levels as concerns
- Opposed unless there is a path to Big Sand Lake (*SLS property owner*)
- Concerns over flooding in the development’s retention pond; “...residents are already parking and leaving their boats in the channel...this is very unsafe”; “...they did not choose to permit when the subdivision was first permitted and approved.”
- “The Public has not been furnished an opportunity to fully review this project and ask questions...”; “We have second hand knowledge that the developer cited the ability to open the channel between Big and Little and Lake as part of their sales pitch...”; “Little Sand Lake has been overrun with hydrilla in the past and allowing boat traffic put Big Sand Lake in jeopardy of infestations that can require costly remediation and deplete MSTU funds...”; alterations to the channel wetlands “...can cause detrimental impacts to the water quality of Big Sand Lake”
- “There are many docks already...That area could get cluttered with boats”
- Ramp “...will only benefit the wealthy...It wastes HOA funds and will damage the existing environment” (*SLS property owner*)



Considerations

- Pursuant to Orange County Code, Chapter 15, Articles X and XV, EPD staff has evaluated the permit applications and required documentation therein.
- As mitigation for the proposed impacts, the applicant has proposed to make a contribution of \$5,000 to the Conservation Trust Fund.
- The applicant proposes a water quality monitoring plan to ensure the construction does not negatively affect the surface water.



Additional Specific Condition

- **To preclude any further clearing or dredging outside the scope of the project, the applicant proposes the addition of the Specific Condition below to BR 22-09-001 (new #17) and CAI-22-12-081 (new #10):**
 - **No dredging or removal of vegetation is authorized beyond the limits of work identified in the Boat Ramp Application (BR 22-09-001) and Conservation Area Impact Application (CAI 22-12-081). Additional work beyond this scope will require appropriate permits obtained from Orange County Environmental Protection Division (OCEPD).**



Additional Specific Condition

- The previously issued CAI permit CAI-17-05-017 for the subdivision prohibits boat ramps on Little Sand Lake.
- Condition #15 states, “No community ramps are permitted on Little Sand Lake, Big Sand Lake, or Lake Marie.”
- To prevent any conflict with CAI-17-05-017, EPD proposes the addition of the Specific Condition below to BR-22-09-001 (new #18) and CAI-22-12-081 (new #11):
 - Approval of the semi-private boat ramp facility is contingent upon modification of CAI-17-05-017, Condition #15 to allow for a boat ramp on Little Sand Lake. The revised Condition #15 shall read substantially as follows:
 - 15. No community ramps are permitted on ~~Little Sand Lake~~, Big Sand Lake or Lake Marie.
- The permittee’s authorized agent for the subdivision CAI permit has submitted a request to modify Condition #15. The draft permit modification is under review by the County Attorney’s Office.



Findings

- EPD staff has made a finding that the permit requests are consistent with Orange County Code, Chapter 15, Articles X and XV and recommends approval of Semi-Private Boat Ramp Permit No. BR-22-09-001 and the Conservation Area Impact Permit No. CAI-22-12-081, subject to the conditions listed in the staff reports.



Actions Requested

- **Acceptance of the findings and recommendation of the Environmental Protection Division staff and approval of Conservation Area Impact Permit (CAI-22-12-081) for the Sand Lake Sound Homeowners Association, Inc., subject to the conditions listed in the staff report; and,**
- **Acceptance of the findings and recommendation of the Environmental Protection Division staff and approval of the Sand Lake Sound Semi-Private Boat Ramp Permit (BR-22-09-001) for the Sand Lake Sound Homeowners Association, Inc., subject to the conditions listed in the staff report. District 1**



Applicant responses to questions in Chapter 15, Article XV, Section 15-605(d)

a. The potential number of additional users of the waters that would result from approval of the boat ramp facility;

The use of the boat ramp will be limited as the ramp is one lane and the boat launch area provides minimal parking (4 spaces). As residents of the development are not permitted to keep recreational vehicles (boats, trailers, RVs) in yards or driveways. Use of the ramp will be limited.

b. Number of existing boat ramps and similar recreational uses on the waters and the extent to which such existing boat ramps and similar recreational uses to the waters are available to the public;

Based on Google Earth as of January 2022 there is one existing semi-private boat ramp on Little Sand Lake. Additionally, there is one existing semi-private boat ramp on Big Sand Lake. There is no public access to the lake.



Applicant responses to questions in Chapter 15, Article XV, Section 15-605(d), continued

c. Noise impacts on residents living directly adjacent to the waters;

The proposed boat ramp is semi-private and accessible only by residents of the development. The size of the boat ramp, subject waterbody and home lots preclude larger vessels (i.e. vessels with greater carrying capacity) from using the ramp. Additionally, the area adjacent to the proposed ramp facility is currently multi-family residential, the nearest residents are over 300' away from the proposed ramp. Any noise impacts from the proposed facility would be below the expected noise impacts of the existing multi-family & mixed commercial development (community pool, business operations, parking, common areas, etc.). Hedges are proposed on both sides of Tract I to reduce noise impacts to adjacent residents.



Applicant responses to questions in Chapter 15, Article XV, Section 15-605(d), continued

d. The impact that the proposed semi-private boat ramp facility will have on that adjacent area; it is the intent of this subsection that strong preference be given to proposed semi-private boat ramp facilities located on internal lots, as opposed to corner lots in a subdivision;

The proposed boat ramp facility is semi-private and to be utilized only by residents. The HOA requires that all boating be performed in accordance with local & state laws. Additionally, there is no intent to open or increase access to Big Sand Lake for motorized vessels.



Applicant responses to questions in Chapter 15, Article XV, Section 15-605(d), continued

e. Whether the fish, wildlife, flora and fauna, including endangered or threatened species (as those threatened or endangered species may be defined from time to time by the applicable local, state or federal laws and regulations) or their habitats will be adversely affected;

The construction of the proposed boat ramp includes minimal direct impacts fish & wildlife habitat. Operation of the boat ramp as a semi-private, single-family recreational access would not be expected to cause adverse impacts to listed species. See attached wildlife list for the subject site.



Applicant responses to questions in Chapter 15, Article XV, Section 15-605(d), continued

f. Whether the boat ramp facility will adversely affect navigation, water quality, water flow, or cause harmful erosion, shoaling, or sediment resuspension;

With respect to navigation, the proposed boat ramp will not adversely affect navigation as it is located along an open/contiguous shoreline on Little Sand Lake. By utilizing this location, the typical navigation around Little Sand Lake shoreline will not be affected by boats entering or exiting the boat ramp itself. Additionally, there is no plan to increase access west of the proposed ramp.

Regarding water quality, numerous studies on the effects of outboard motor exhaust and related pollution from fuel leakage have been conducted and it has been shown that minimal toxic effects on aquatic organisms occur because (1) the amount of pollution is small compared to the volume of the lake; and (2) most hydrocarbons are volatile and quickly disperse. One study (Hallock and Falter 1987) found that motorboat exhaust contributed about 1% of the total nitrogen loading to the lake, while the amount of phosphorus was negligible. The major contributing adverse effect toward lake water quality is nitrogen and phosphorus run off from agricultural lands and residential yards via fertilizer.



Applicant responses to questions in Chapter 15, Article XV, Section 15-605(d), continued

f. continued

Regarding water flow, Little Sand Lake is not a closed system. It is connected to Big Sand Lake to the south and Spring Lake to the north. Based on all of the above, the water flow of Little Sand Lake will not be adversely affected.

Speed limits will be posted and noted that within the area within 200' of the shoreline are no wake.

g. Whether there exists a navigable passage from the boat ramp facility to the waters;

Please see attached Boat Ramp ground profile sheet from the plan set dated June 23, 2022 providing a cross-sectional detail of the boat ramp terminus relative to various lake elevations. This cross-section clearly depicts sufficient water depths for navigation.



Applicant responses to questions in Chapter 15, Article XV, Section 15-605(d), continued

h. Whether the ecological balance of the waters will be adversely affected;

Numerous studies on the effects of outboard motor exhaust and related pollution from fuel leakage have been conducted and it has been shown that minimal toxic effects on aquatic organisms occur between (1) the amount of pollution is small compared to the volume of the lake; and (2) most hydrocarbons are volatile and quickly disperse. One study (Hallock and Falter 1987) found that motorboat exhaust contributed about 1% of the total nitrogen loading to the lake, while the amount of phosphorous was negligible. The major contributing adverse effect toward lake water quality is nitrogen and phosphorous run off from agricultural lands and residential yards via fertilizer.

i. Whether the boat ramp facility will adversely affect significant historical and archaeological resources as defined by state law;

Please find the attached concurrence letter from the Division of Historical Resources indicating that the proposed project will have no effect to historic properties listed, or eligible for listing in the NRHP.



Applicant responses to questions in Chapter 15, Article XV, Section 15-605(d), continued

j. Whether the boat ramp facility will pose a hazard to normal vehicular traffic as a result of trailering vehicles leaving or entering roads;

The proposed boat ramp is located at the terminus of a gated community where there will be limited to no traffic. As depicted on the construction plans there should be no other vehicles in the vicinity of the boat ramp.



Applicant responses to questions in Chapter 15, Article XV, Section 15-605(d), continued

k. Whether the boat ramp facility will pose a hazard to boating traffic on the waters, or otherwise adversely affect public safety, given the number of people using the waters, as well as the size, depth and shoreline configuration and natural contours (i.e., existence of a cove, blind spot, etc.) on the subject waters;

The proposed boat ramp is located in an area with adequate visibility from all portions of the waterbody. The upland development is a residential subdivision and includes a dry pond along the shoreline and is maintained as required by Water Management District & Orange County. The HOA maintained upland area adjacent to the boat ramp will also be regularly mowed so as not to obstruct visibility and create a boating hazard. Additionally, there is no plan to increase access to Big Sand Lake through the construction/operation of the ramp.



Applicant responses to questions in Chapter 15, Article XV, Section 15-605(d), continued

I. If there is existing unrestricted public access to the waters whereon the boat ramp facility is proposed, the applicant must further demonstrate the need for additional access to the waters considering in part:

1. The number of existing boat ramps on the subject waters;

Based on Google Earth as of January 2022 there is one existing semi-private boat ramp on Little Sand Lake. Additionally, there is one existing semi-private boat ramp on Big Sand Lake. There is no public access to the lake.

**2. The number of existing boat ramps on any adjoining waters connected to the subject waters by any waters capable of passage by any watercraft;
and**

There is one existing semi-private boat ramp on Big Sand Lake. There is no public access to the lake.



Applicant responses to questions in Chapter 15, Article XV, Section 15-605(d), continued

I. continued

3. The distance from the proposed boat ramp facility to any existing boat ramp on the same waters.

There is one semi-private ramp across the lake and it is approximately 2,691 feet from the proposed boat ramp.



Applicant responses to questions in Chapter 15, Article XV, Section 15-605(d), continued

m. Whether the proposed boat ramp facility would adversely affect areas of special concern including, but not limited to, outstanding Florida waters, wetlands, areas which provide habitat for endangered species or threatened species (as those endangered or threatened species may be defined by applicable local, state or federal law or regulations) and conservation areas as defined by, and in accordance with, the Orange County Conservation Ordinance No. 89-8, as amended [article X of this chapter]. *The construction of the proposed boat ramp includes minimal direct impacts to fish and wildlife habitat. Those impacts are being addressed through the proposed mitigation plan which requires a contribution to the Conservation Trust Fund in the amount of \$2,500. Operation of the boat ramp as a semi-private single-family recreational access would not be expected to cause adverse impacts to listed species. As previously indicated, there are little to no impacts anticipated to water quality or quantity.*



Applicant responses to questions in Chapter 15, Article XV, Section 15-605(d), continued

n. Interrelationship and organization of multiple uses of the water body that is the site of the proposed boat ramp facility, including:

- 1. Whether portions of the lake surface have been designated for different activities;**

There are no designated areas on Little Sand Lake dedicated to specific activities.

- 2. Whether the type of boating has been designated over the entire lake (i.e., nonpower boating only);**

Little Sand Lake has no restrictive areas designating specific uses.

- 3. Whether certain uses of the lake have been restricted to certain times of the day;**

There are no restrictions on time of use for Little Sand Lake.



Applicant responses to questions in Chapter 15, Article XV, Section 15-605(d), continued

n. continued

- 4. Whether no-wake areas have been established around shoreline fishing areas, swimming areas or existing boat ramps;**

There are no restrictions on time of use for Little Sand Lake.

- 5. Whether a speed limit has been established on the lake; and**

There no speed limits established on Little Sand Lake.

- o. How the proposed boat ramp will affect existing uses of the water body which is the site of the proposed boat ramp facility.**

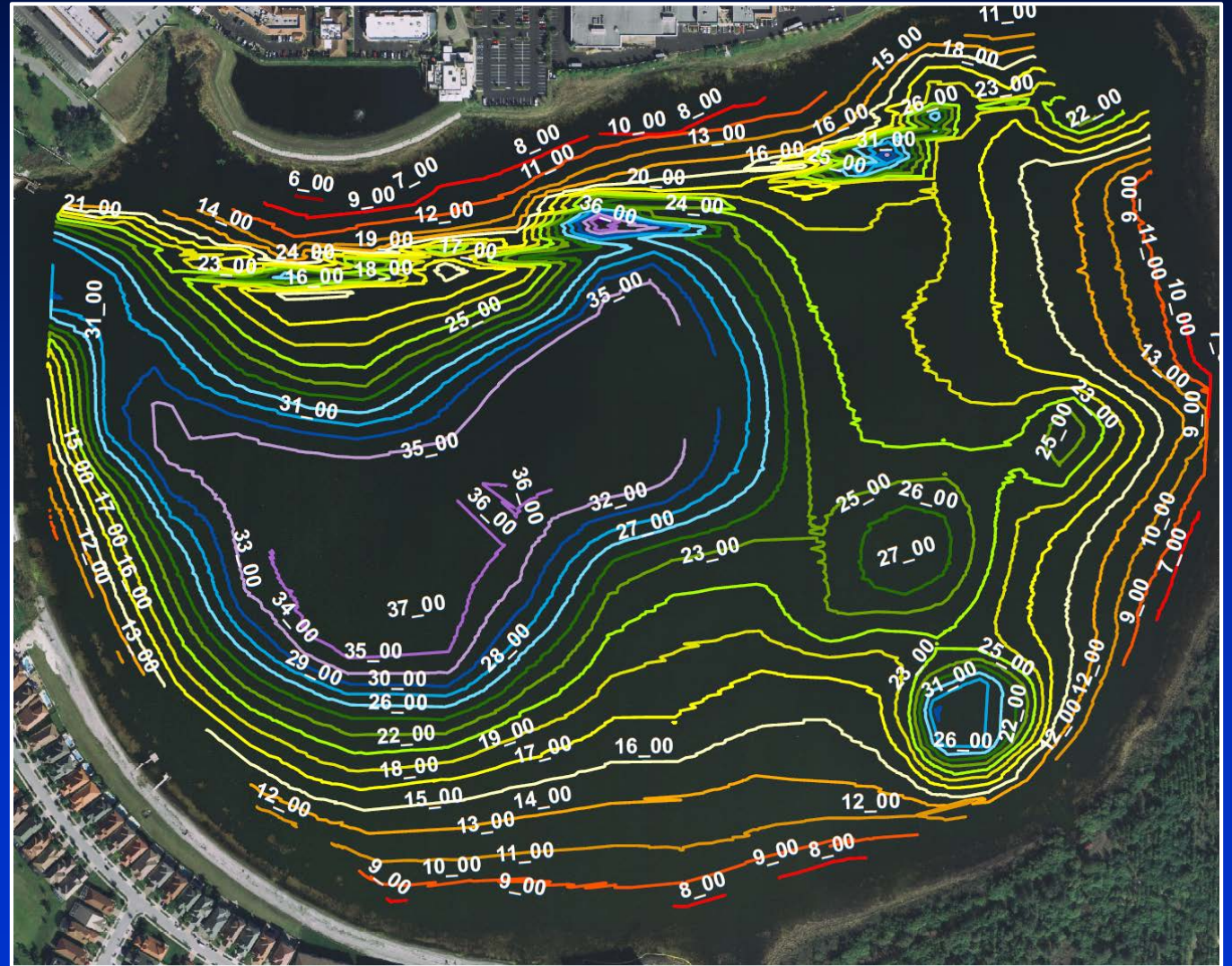
The proposed boat ramp facility is semi-private and to be utilized only by residents. The HOA requires that all boating be performed in accordance with local & state laws. Additionally, there is no intent to open or increase access to Big Sand Lake for motorized vessels.



Little Sand Lake Bathymetry

Contour Depth (ft)

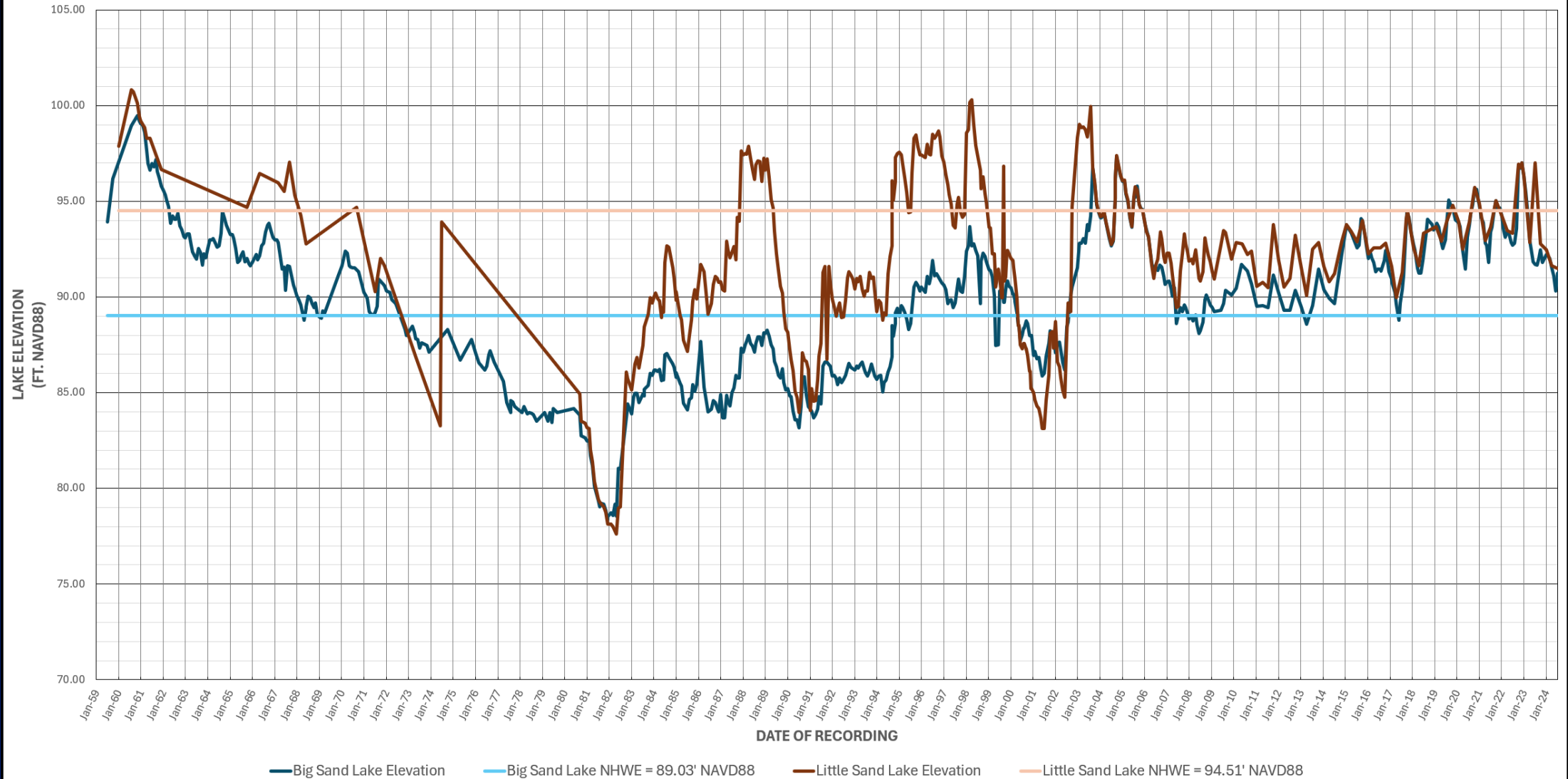
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Big and Little Sand Lakes – Historic Lake Levels

Big and Little Sand Lake Water Levels





Big Sand Lake MSTU Boundary

