

**Board of County Commissioners**

**Shoreline  
Alteration/Dredge and Fill Permit  
Application**

**SADF-17-05-006**

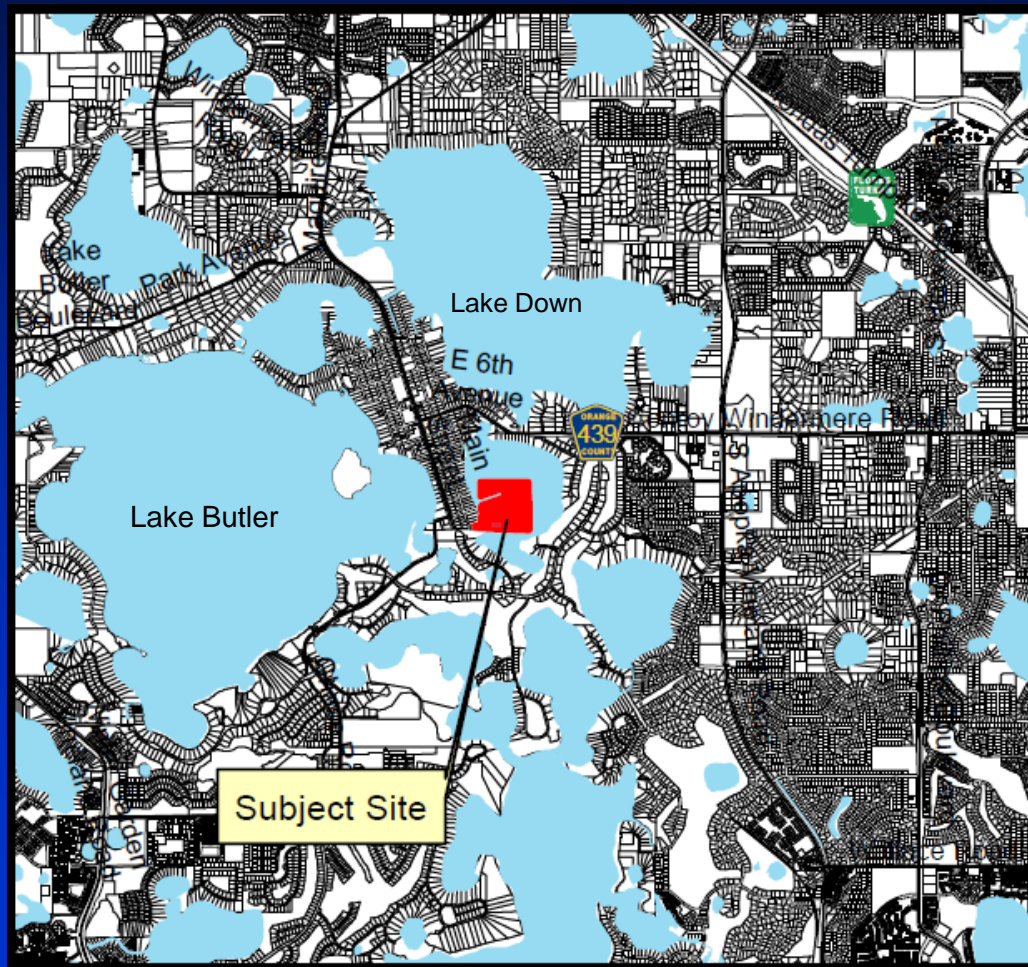
**Applicants: Thomas and Joanne Fry**

**March 20, 2018**



# Location Map

East of Oakdale Street, Windermere, Lake Bessie



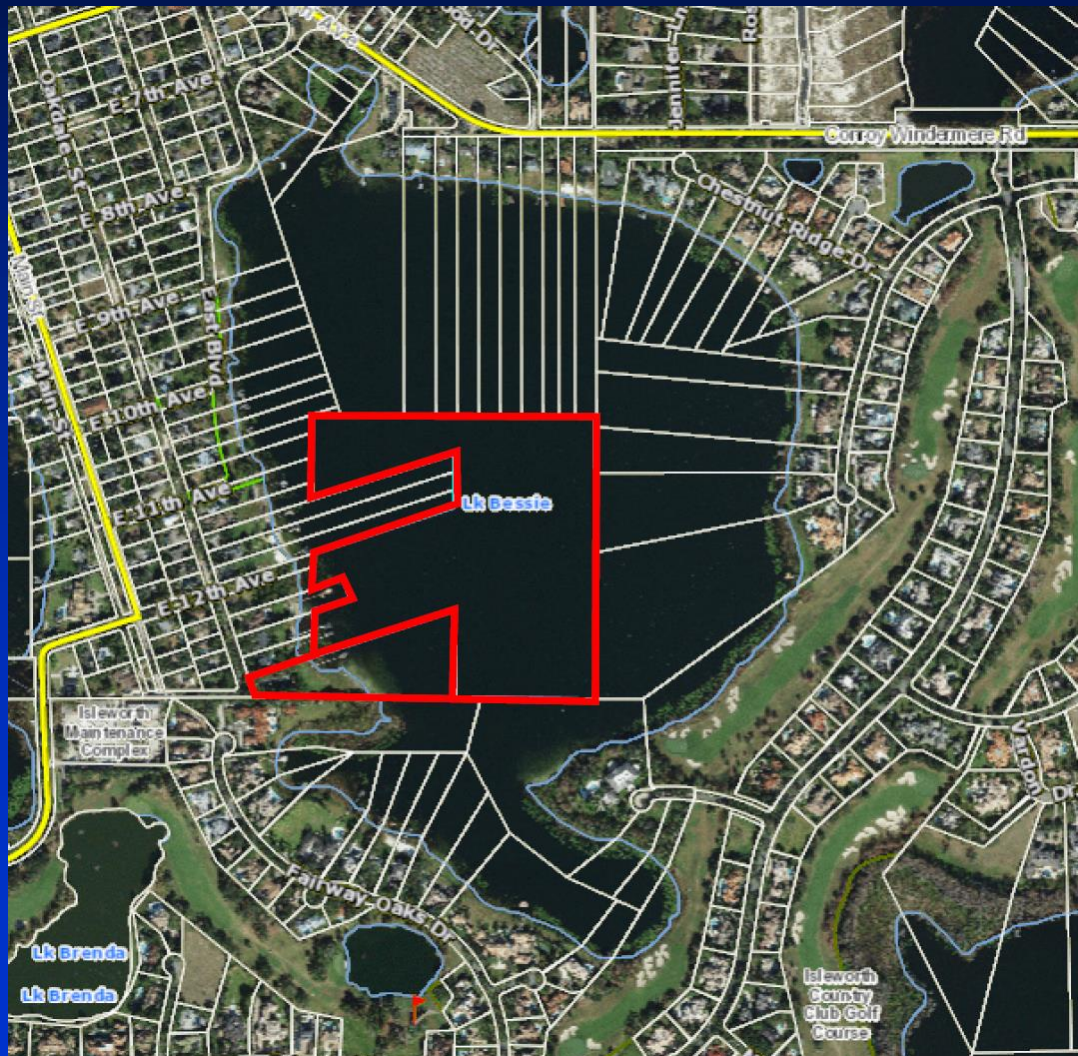
Parcel ID#(s) 17-23-28-0000-00-002 (owned) and 17-23-28-9336-00-010 (leased)





# Aerial

East of Oakdale Street, Windermere, Lake Bessie





# Aerial

East of Oakdale Street, Windermere, Lake Bessie





# Existing Conditions

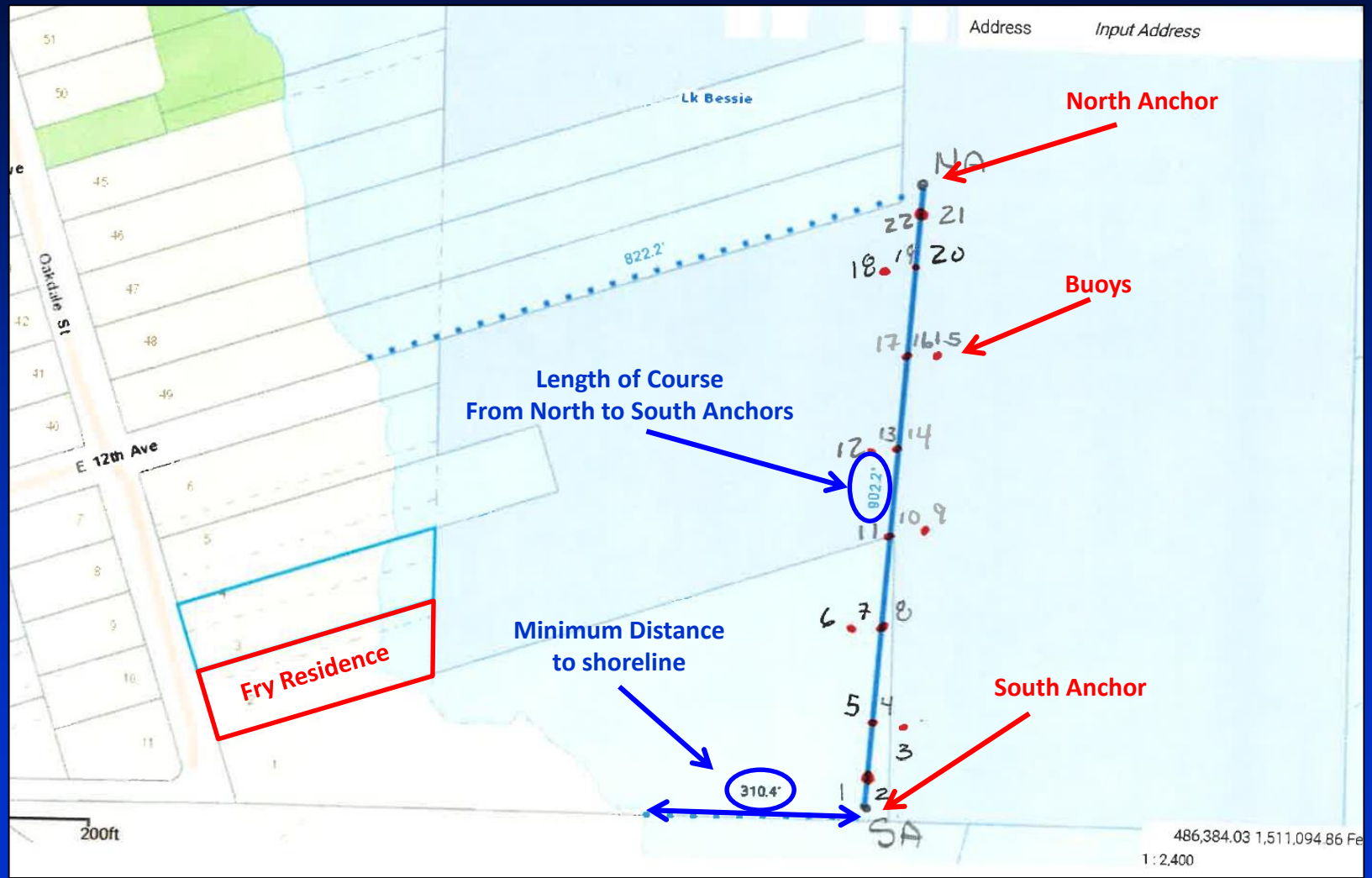


Panoramic photograph (looking east) of Lake Bessie taken on January 16, 2018



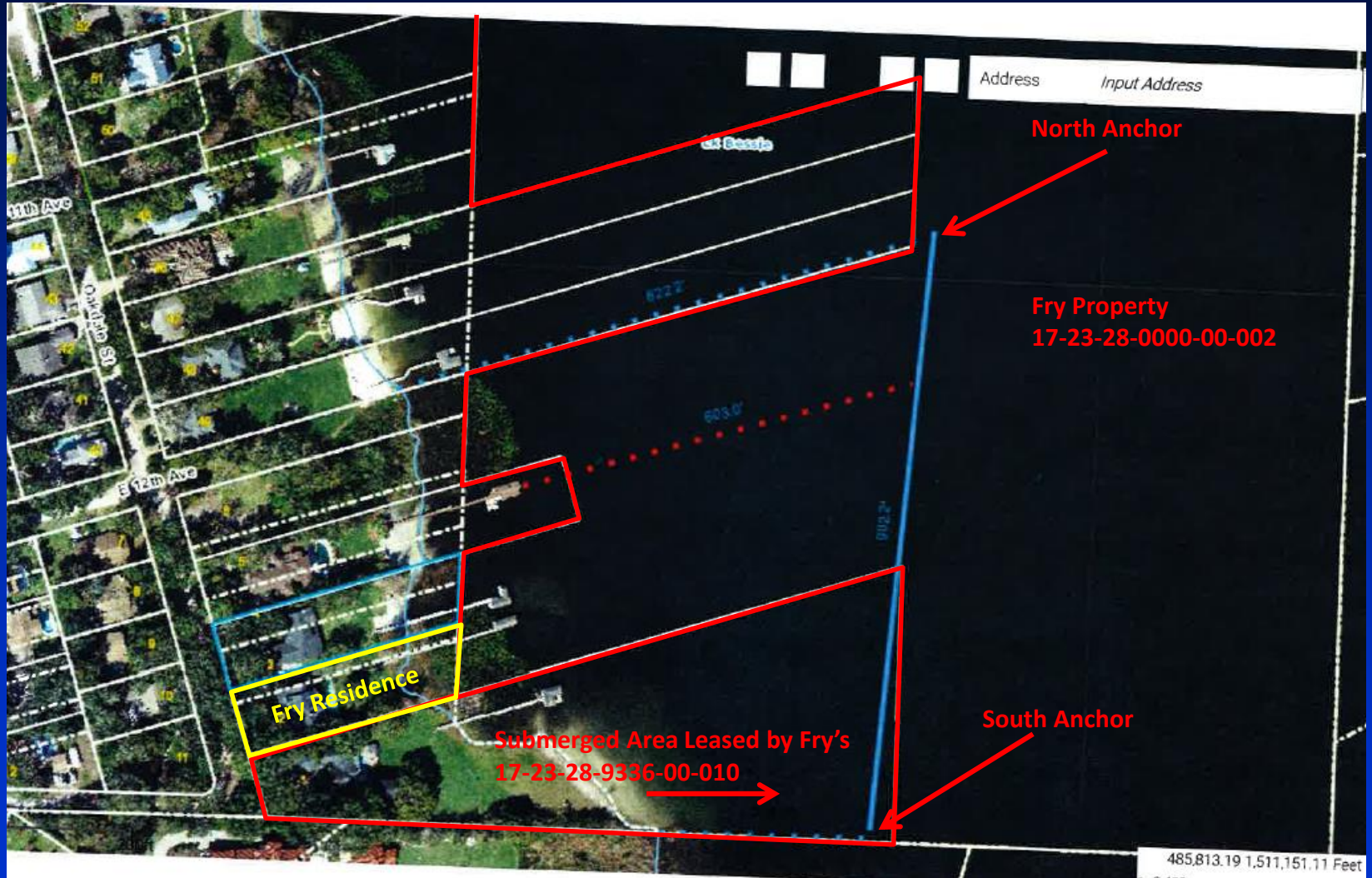


# Site Plan



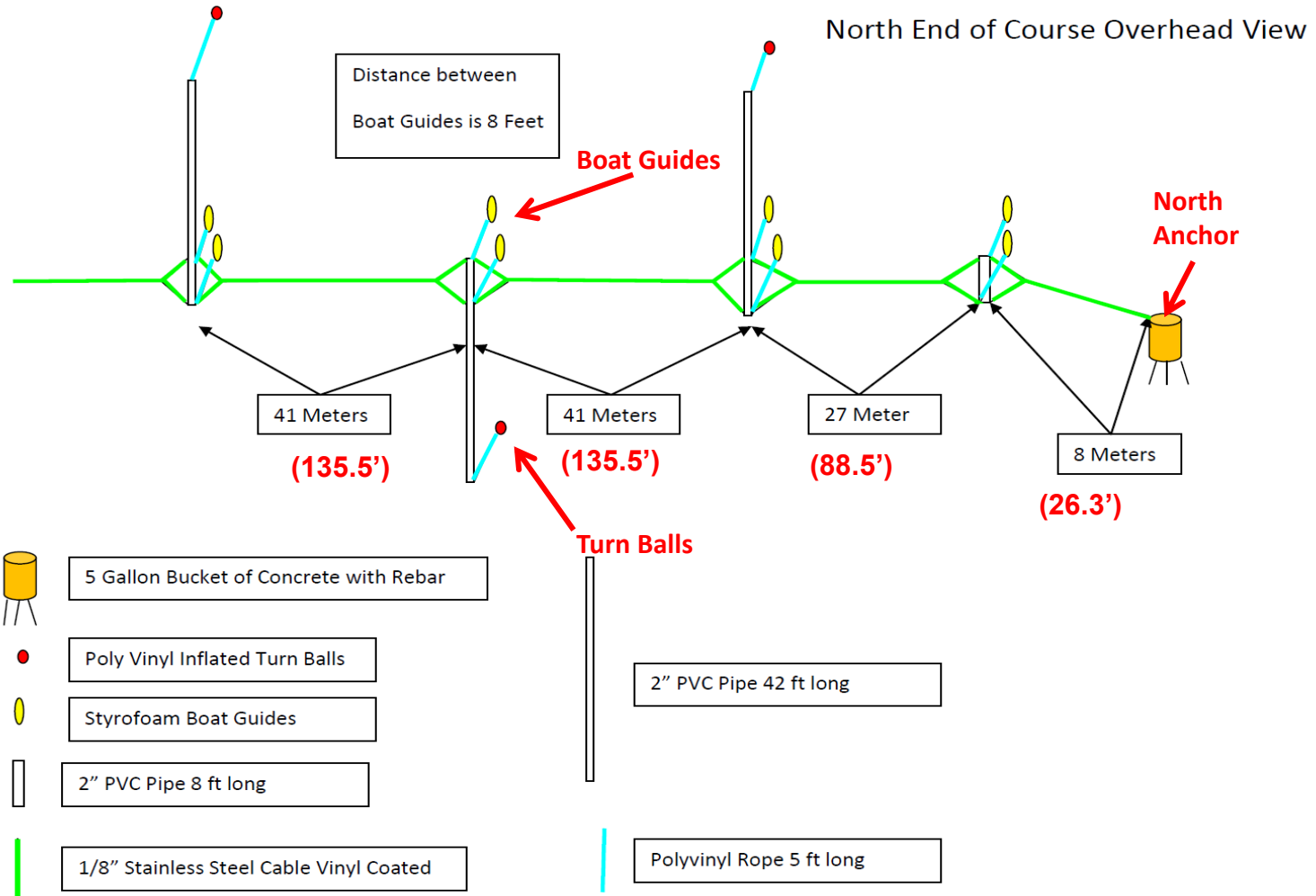


# Site Plan





# Site Plan

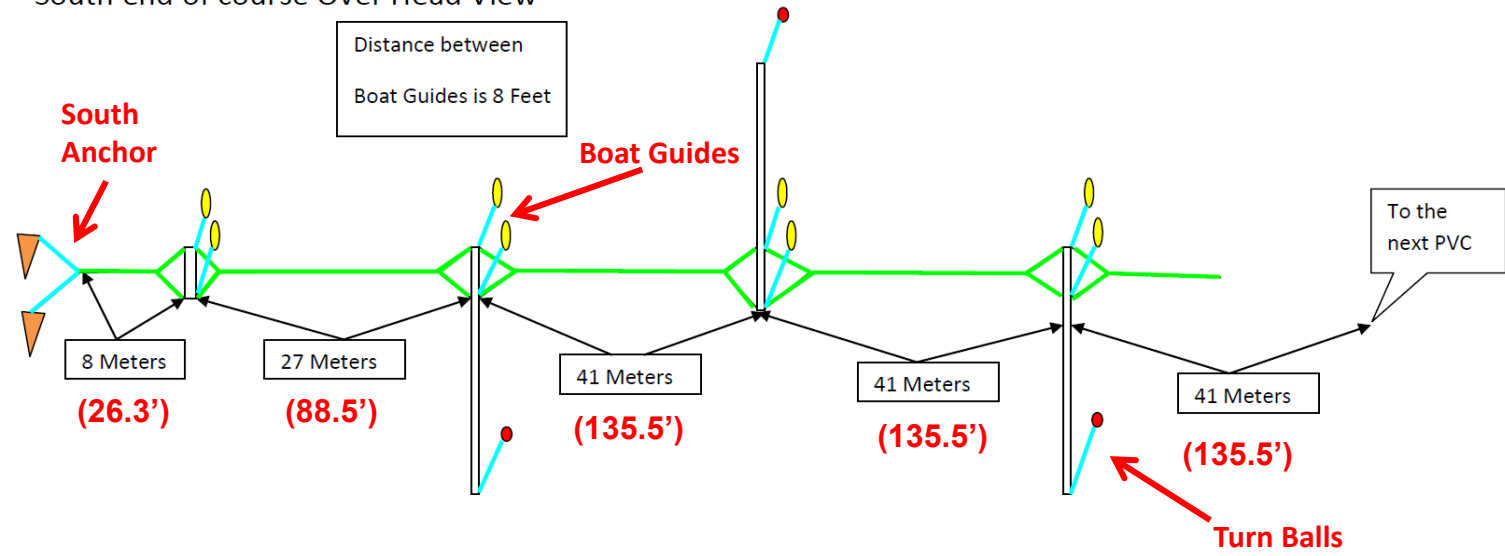









# Site Plan


South end of course Over Head View




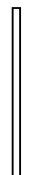
 18 Inch Steel Augur Anchors


 Poly Vinyl Inflated Turn Balls

 Styrofoam Boat Guides

 2" PVC Pipe 8 ft long

 1/8" Stainless Steel Cable Vinyl Coated

 2" PVC Pipe 42 ft long

 Polyvinyl Rope 5 ft long



# SADF Review Criteria

- 1. The effect of the proposed plan or development on the use of said waters in said district for transportation and recreational or other public purposes and public conveniences:*

The proposed project will not prohibit others from accessing or using the lake. The buoys themselves are not a navigational hazard since they are easily visible to boaters and are made of a soft plastic which is pushed out of the way should a collision occur with a boat. This is supported by the State of Florida Division of Administrative Hearings (DOAH) case no. 02-2940/02-2941 (Buchner v. Gronlund).



# SADF Review Criteria

- 2. The effect of the proposed plan or development on the free use of waters and waterways within the district:*

When in use, the ski course will preclude lake use in the vicinity of the course; however, this is no different than skiing and boating activity occurring without a course. This is supported by the DOAH ruling which states “...preemption of part of the lake, which is inherent in any ski course and boating in general, does not constitute a navigation hazard or an infringement of riparian rights to access to the lake.”





# SADF Review Criteria

### *3. The effect of the proposed plan or development upon erosion control in the said district:*

The purpose of the proposed slalom course (which produce small wakes generally between 3 to 4.5 inches high) combined with the distance from the shoreline (a minimum of 300 feet) and moderate vegetative coverage, will not cause erosion to the shoreline. This is supported by the DOAH case.



# SADF Review Criteria

***4. The effect of the proposed plan or development upon the flow of waters in said district:***

**N/A**

***5. The effect of the proposed plan or development upon formation of stagnant pockets likely to collect debris:***

**N/A**



# SADF Review Criteria

***6. The effect of the proposed plan or development upon the natural beauty and recreational advantage within said district:***

**The visible portion of the course (the floating buoys) are relatively unobtrusive and do not impede the view of the lake. Additionally, the buoys are less visible from a great distance, and will be placed a minimum of 300-ft from the shoreline.**





# SADF Review Criteria

- 7. The effect of the proposed plan or development upon the conservation of wildlife, marine life, and other natural resources:*

The effects of erosion and turbidity, which can affect wildlife, are minimized as stated above. Additionally, the impacts to the lake from a slalom course are not dissimilar to the effects caused by boating in general and skiing without a ski course. This is supported by the DOAH case.

- 8. The effect of the proposed plan or development upon the upland surrounding or necessarily affected by said plan or development:*

N/A



# Objections

- EPD has received several inquires/objections concerning the effect of the course on the view of the lake, the disturbance such a course would create in an otherwise quiet area, a perceived increase in boating activity, and concerns for safety, navigation and access.







# Example Slalom Course

Buoy Locations

Closest set of buoys to vantage point are approximately 500 feet away



Lake Hickory Nut Slalom Ski Course (SADF-15-01-000); facing west





# Example Slalom Course

Buoy Locations



Closest set of buoys  
To vantage point are  
approximately 730  
feet away

Lake Hickory Nut Slalom Ski Course (SADF-15-01-000); facing southwest



# Example Slalom Course



Lake Hickory Nut Slalom Ski Course (SADF-15-01-000)



# Considerations

- **Project reviewed in accordance with Chapter 33, Article IV. Windermere Water and Navigation Control District; Section 33-129(d).**
- **The applicants propose to install an approximately 902-foot long slalom ski course, consisting of 22 buoys. The closest distance from the shoreline is 310 feet at the proposed location.**
- **EPD reviewed the findings of fact from a State of Florida Administrative Hearing for a similar ski course design on Lake Blanchester, located in Lake County.**
- **The lake bottom of Lake Bessie is privately owned. The submerged lands on which the ski course will be anchored are either owned or have been leased by the applicants.**



# Considerations

- The use of the course will be limited to private recreational purposes. Commercial use of the course will be prohibited.
- The original slalom course was installed in a different location on Lake Bessie without a permit and was subject to enforcement action (17-485019). It was subsequently removed and the enforcement case was closed.
- Notification of the public hearing was sent to all shoreline property owners on Lake Bessie.
- EPD has received objections from several lakefront property owners.



# Action Requested

**Approval of Shoreline Alteration/Dredge and Fill permit request (SADF-17-05-006) for Thomas and Joanne Fry, subject to the conditions listed in the staff report.**

**District 1**