

Board of County Commissioners

**Commercial Boat Ramp and
Conservation Area Impact Permit**

BR-21-06-000 and CAI-22-07-052

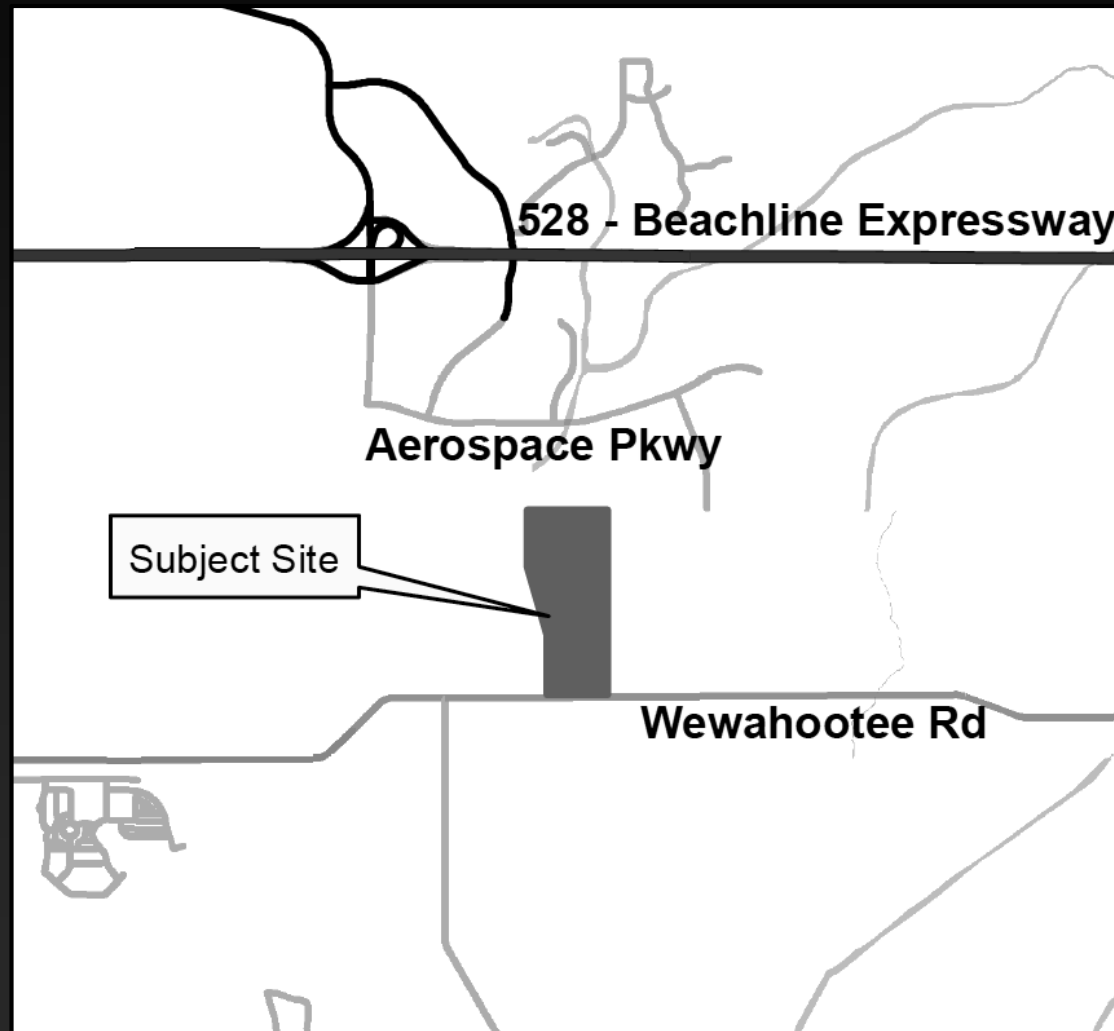
Applicant: Correct Craft Real Estate, LLC

December 13, 2022



Location Map

14700 Aerospace Parkway, Orlando



Parcel ID No.: 06-24-32-1500-01-000



Aerial Photo

14700 Aerospace Parkway, Orlando



Parcel ID No.: 06-24-32-1500-01-000



Site Photo





Background

- **The surface water where the proposed boat ramp will be located is a borrow pit that was created between 2004 and 2005. The applicant's property contains a total of two ponds:**
 - “west pond” where the proposed boat ramp will be located; and,
 - “east pond” which is a permitted stormwater management system.
- **A Conservation Area Determination (CAD 05-092) was completed in 2005 and depicts the two ponds and additional wetlands onsite. CAD 05-092 determined that the two ponds are Class II surface waters. No impacts are proposed to the onsite wetlands.**

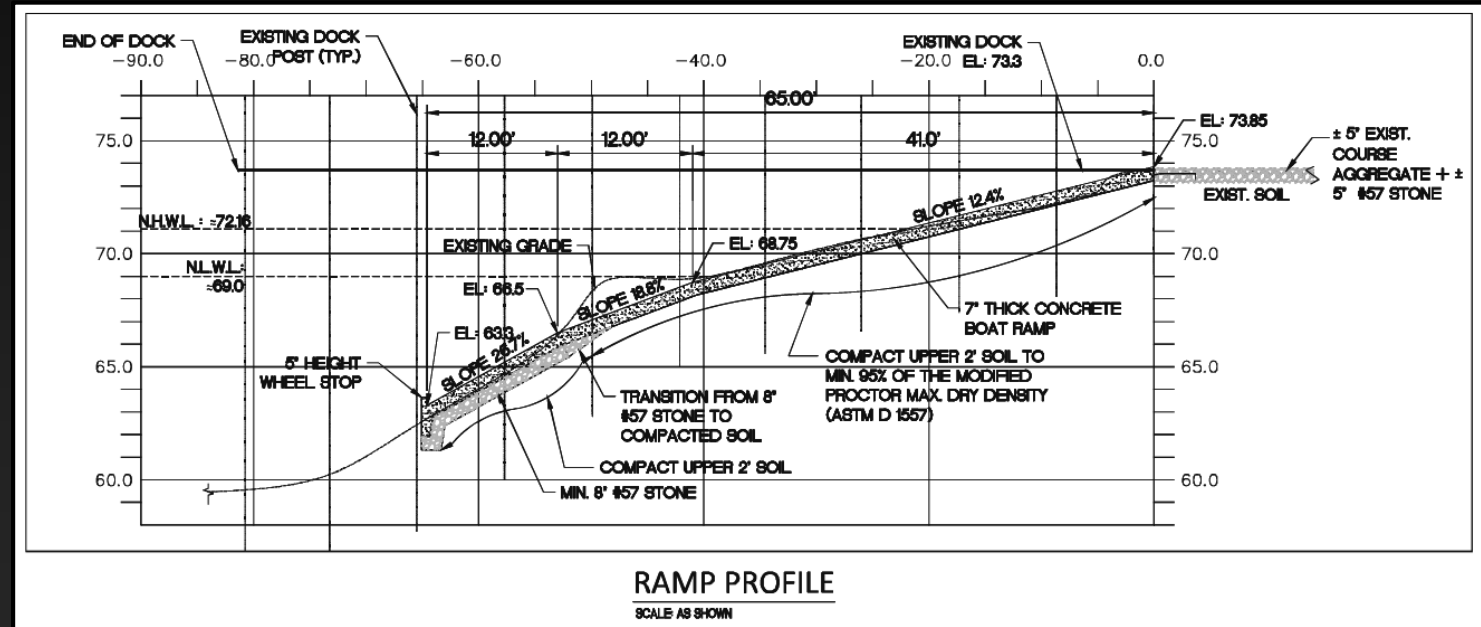
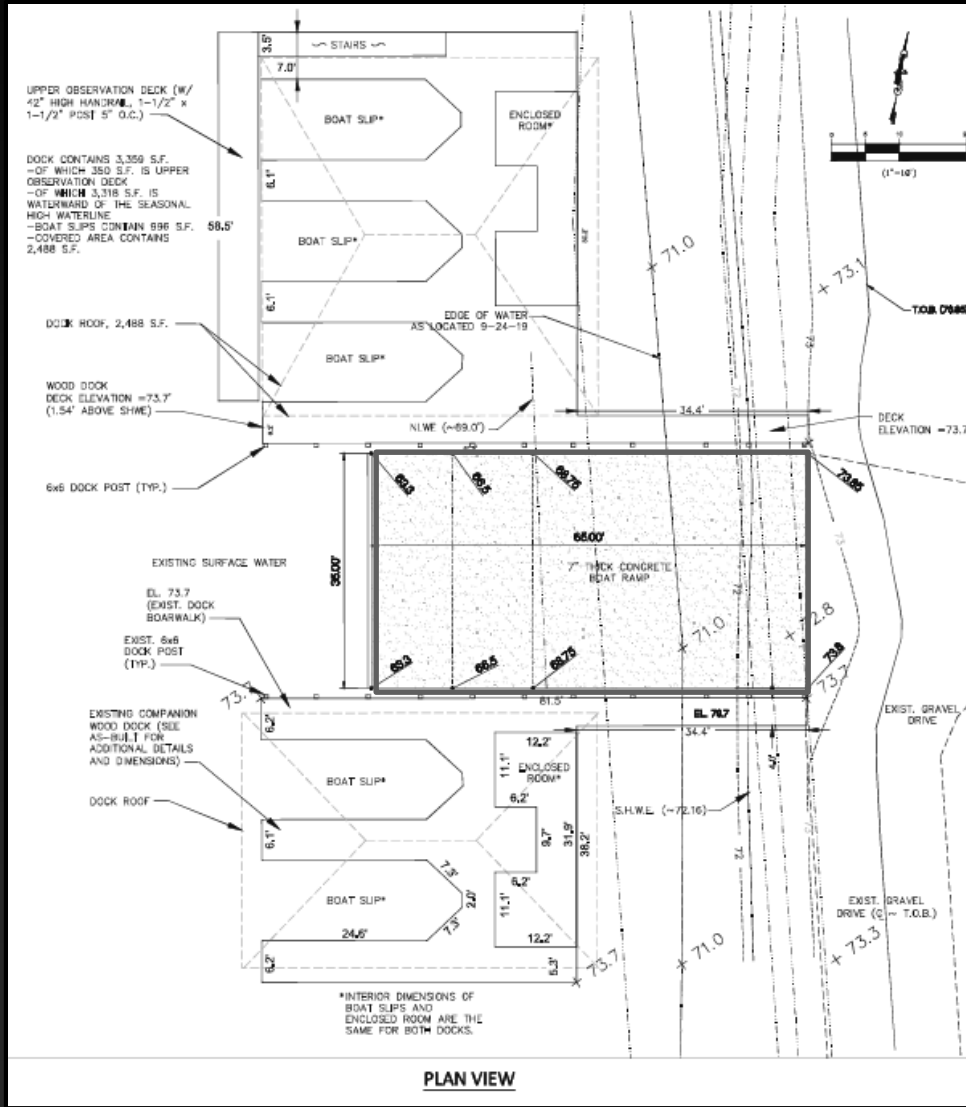


Commercial Boat Ramp Request

- **The applicant utilizes the two man-made surface waters to test new watercraft for development and sale.**
- **Utilization of the proposed boat ramp will be solely for the private use of the applicant.**
- **The proposed boat ramp will be 65 feet long and 35 feet wide. There will be two boat docks constructed adjacent to the proposed boat ramp.**



Site Plan – Boat Ramp





Commercial Boat Ramp Request - Variances

- **Some of the review criteria in Article XV for commercial boat ramps may not be relevant for the proposed project, due to the unique setting at a boat manufacturing facility, and therefore, the applicant is requesting eleven variances.**
- **EPD staff has evaluated each variance request based on the applicant's reasoning and the criteria in Article XV and recommends approval of all eleven.**



Commercial Boat Ramp Request - Variances

■ The variance requests and justifications from the applicant are summarized as follows:

1. **Section 15-605(b)(1):** No boat ramp facility of any kind shall be permitted without adequate stormwater management facilities...designed to intercept all stormwater from the boat ramp above the normal high water elevation.

Reason for variance: Collection of stormwater from only 15 feet of ramp above NHWE is inconsequential.

2. **Section 15-605(b)(5):** ...electrical outlets and lighting of any kind shall be prohibited within one hundred (100) feet of any boat ramp facility...

Reason for variance: Outlets at the ramp are necessary for facility operations.

3. **Section 15-605(b)(6):** Public road access to any commercial or public boat ramp facility site is mandatory.

Reason for variance: Pond on which ramp will be located is on the applicant's private property.



Commercial Boat Ramp Request - Variances

■ Variance requests (cont.):

4. Section 5-605(b)(9): Boat houses and other similar sheltered structures proposed to be built in conjunction with a companion boat mooring dock are prohibited.

Reason for variance: Storage areas and roofed areas around ramp necessary for equipment for design, research and development testing.

5. Section 15-605(b)(10): All commercial and public boat ramp facilities...shall have a prop clean-out area.

Reason for variance: Prop clean out at this ramp is unnecessary. Boats tested in the pond are not complete units and do not leave the facility.

6. Section 15-605(b)(14): A developer's agreement between the applicant and county shall be required as a condition of approval of any commercial or semi-private boat ramp facility.

Reason for variance: The purpose for this project is to provide a permanent access point (ramp and docks) for boats and boat parts that need to be tested for the commercial business (boat manufacturing) within a pond on private property that will not be open to the public.



Commercial Boat Ramp Request - Variance

■ Variance requests (cont.):

7. Section 15-605(b)(16): ...with respect to non-subdivision planned development projects that receive final approval after September 24, 1993, no semi-private or commercial boat ramp facility may be located within any such planned development unless such boat ramp facility was approved prior to final approval of the planned development and is shown on the approved land use plan for the planned development.

Reason for variance: Variance is warranted based on the nature and setting of this project (commercial boat ramp in a private property and private water body).

8. Section 15-605(b)(24): A "No Wake" sign shall be posted at all boat ramp facilities requiring no wake within a one-hundred-foot radius of the boat ramp facilities, notwithstanding whether a skier is being dropped off or picked up.

Reason for variance: The manufacturing plant has been using the lake for boat research and development testing for nearly 15 years without degradation to the vegetative shoreline or adjacent conservation areas. The public will not have access to the ramp. The boat ramp facility shoreline is and/or will be reestablished with aquatic vegetation and/or sod (staked) to prevent erosion.



Commercial Boat Ramp Request - Variance

■ Variance requests (cont.):

9. Section 15-605(c)(1) Boat ramp size: a. Width: Single lane, twelve (12) to fifteen (15) feet in width. For additional lanes, use multiples thereof; example, double lane would be thirty (30) feet in width.

Reason for variance: 17.5 feet per lane necessary for facility operations.

10. Section 15-605(c)(1) Boat ramp size: b. Length: The surface of the ramp should be paved down to an elevation of five (5) feet below the lowest recorded water elevation and two (2) feet above the normal high water elevation (NHWE).

Reason for variance: The top surface of the ramp is designed to match the grade of the existing gravel drive.

11. Section 15-605(c)(2): Boat ramp slope: A minimum of ten (10) degrees and maximum of fifteen (15) degrees.

Reason for variance: The middle and lower sections of the ramp have slopes of 18.8% and 26.7%, respectively to facilitate access during periods of low and high water, respectively.



Conservation Area Impact Permit Request

- The applicant is proposing direct impacts to 0.07 acre of Class II surface waters and 0.29 acre of secondary impacts in order to construct the commercial boat ramp.

- Direct Impact
- Secondary Impact





Mitigation Plan

- Mitigation for the proposed impacts will be offset with the purchase of 0.07 mitigation credits from Lake X Mitigation Bank in Osceola County. The subject parcel is located within the service area of Lake X Mitigation Bank.

Approximate Location of Project Site

Lake X Mitigation Bank

■ Service area of Lake X M.B.





Review Criteria – CAI Permit

- Pursuant to 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.
- Pursuant to Section 15-396(3)(b) Class II conservation areas. Habitat compensation for Class II conservation areas should be presumed to be allowed unless habitat compensation is contrary to the public interest. The proposed mitigation is not contrary to the public interest.
- Accordingly, based on the documentation and justifications provided, EPD staff has determined that the applicant has demonstrated that there are no other feasible or practical alternatives available to further minimize or eliminate impacts, and therefore the request meets the criteria for approval.



Considerations

- Pursuant to Orange County Code, Chapter 15, Articles X and XV, EPD staff has evaluated the permit applications and required documentation therein.
- The proposed commercial boat ramp is located on a man-made surface water that is entirely owned by the applicant.
- The impacts associated with the boat ramp will be offset with the purchase of 0.07 credits from Lake X Mitigation Bank.



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 Permit Nos. BR-21-06-000 and CAI-22-07-052.**



Actions Requested

- **Acceptance of the findings and recommendation of the Environmental Protection Division staff and approval of Commercial Boat Ramp Permit (BR-21-06-000) for Correct Craft Real Estate, LLC, subject to the variances and conditions listed in the staff report; and,**
- **Acceptance of the findings and recommendation of the Environmental Protection Division staff and approval of Conservation Area Impact Permit CAI-22-07-052 for Correct Craft Real Estate, LLC, subject to the conditions listed in the staff report.**

District 4