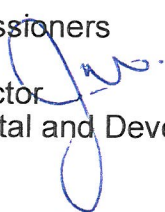





Interoffice Memorandum

August 17, 2018

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director 
Community, Environmental and Development
Services Department

CONTACT PERSON: David D. Jones, P.E., CEP, Manager 
Environmental Protection Division
(407) 836-1405

SUBJECT: September 11, 2018 – Public Hearing
Semi-Private Boat Ramp Facility Permit Application for the
Lake Pickett Clusters 4 and 5 Boat Ramp Project Site and
Application for Variance (BR-17-06-000)

The applicant, Pulte Home Company, requests a permit to construct a new semi-private boat ramp facility adjacent to Lake Pickett. The permit request includes one variance request to Orange County Code. The semi-private boat ramp facility permit application (BR-17-06-000) is being processed concurrently with a conservation area impact permit application (CAI-17-06-018).

The project site is located at 17639 Sailfin Drive, Orlando, on a lobe along the southern shoreline of Lake Pickett. The Parcel ID for the site is 09-22-32-2501-18-001. The subject property is located in District 5.

The project site is located within the Estates at Lake Pickett subdivision, on a tract designated as recreation area and boat ramp. The tract is irregularly-shaped, and approximately 160 feet wide and 470 feet deep. A small playground, parking, and stormwater area are currently located on the parcel. Both adjacent lots are single-family residences. The home on the lot to the north (Lot 10) is completed and to the south (Lot 9) is nearly completed. The proposed boat ramp will be 187 feet long and 12 feet wide, and extend 30 feet waterward of the Normal High Water Elevation of Lake Pickett.

The applicant has requested a variance to Orange County Code:

Section 15-605(b)(11) (side setback): The Code requires that a semi-private boat ramp facility be no closer than 25 feet from the projected property line of abutting shoreline owners. The applicant is requesting a side setback of ten feet from the southern property line, adjacent to Lot 9, which is currently also owned by the applicant. The applicant's agent generally states that the reduced setback is

needed because the playground, parking, and stormwater area on the boat ramp tract have been previously designed, permitted and constructed as authorized by local, state and federal permits. The agent further asserts that removal of these features and redesigning the tract would be an extraordinary hardship. The applicant has installed a five-foot high decorative fence and a ten-foot wide landscaping buffer along the property line to screen the boat ramp facility from the adjacent residential lot.

The public has been notified of the public hearing by newspaper advertisement, posting on the subject property, and direct mail to the applicant, agent, all upland owners adjacent to Lake Pickett, the Lake Pickett Municipal Service Taxing Unit, and the St. Johns River Water Management District, in accordance with the noticing requirements set forth in Article XV, Section 15-605(d)(2).

Pursuant to Orange County Code, Chapter 15, Article XV, Environmental Protection Division (EPD) staff has evaluated the proposed semi-private boat ramp facility permit application, the request for variance and required documents.

No enforcement action has been taken by EPD on the subject property.

Staff Recommendation

Approval of the semi-private boat ramp facility permit application and variance request, subject to the following conditions:

Specific Conditions:

1. Once the decision of the Board is filed by the Clerk of the Board, this permit shall become final and effective upon expiration of the ten calendar-day period to file a notice of intention to file petition for writ of certiorari. Any appeal shall stay the effective date of this permit until any and all appeals are resolved.
2. Construction activities shall be completed in accordance with the "Site Plans" submitted by Poulos & Bennett, LLC as received by the Environmental Protection Division on June 14, 2017 and August 8, 2018. The construction of the boat ramp facility shall be completed within five years from the date of issuance of this permit. Requests for permit extension must be submitted to EPD prior to the expiration date. The operational phase of the project shall begin upon completion of construction and remain in effect in perpetuity.
3. The permittee may maintain a clear access corridor below the Normal High Water Elevation (NHWE) of Lake Pickett (55.64 feet mean sea level, (North American Vertical Datum (NAVD))), not to exceed 20 percent of the shoreline length of the tract. The ramp and companion dock must be located within this corridor.
4. No wake within a 100-foot radius of the boat ramp facility shall be allowed. Prior to final inspection or issuance of Certificate of Completion, "No-Wake Zone" signage shall be installed at the end of the boat ramp, as depicted on the "Site Plans" submitted by Poulos & Bennett, LLC, received by EPD on August 8, 2018.

5. The boat ramp facility must clearly be marked with signage that explicitly states that no overnight mooring, beaching, or storage shall be allowed, as depicted on the "Site Plans" submitted by Poulos & Bennett, LLC, as received by EPD on August 8, 2018. The signage shall be installed prior to final inspection or issuance of Certificate of Completion.
6. The parking of any car or trailer at the boat ramp facility site is prohibited. A "Tow-Away" warning sign shall be installed at the boat ramp facility site, as depicted on the "Site Plans" submitted by Poulos & Bennett, LLC, as received by EPD on August 8, 2018. The signage must be installed prior to final inspection or issuance of Certificate of Completion.
7. Within 30 days of issuance of this permit, or prior to EPD approval of the Building Permit, whichever comes last, a Developers Agreement, accepted and approved by Orange County, shall be recorded in the public records of Orange County and a copy of the recorded Developers Agreement submitted to EPD.
8. Prior to the final inspection of the boat ramp facility or issuance of Certificate of Completion, the applicant shall post a letter of credit in a form accepted by Orange County in the amount of ten percent of the estimated cost of construction of the boat ramp facility site in favor of Orange County. Please note that the ten percent assessment shall include the cost of construction of the boat ramp and any other improvements to be built in conjunction with the boat ramp which may be required by state or local regulations or Article XV, and the assessed value of the platted lot for the boat ramp facility.
9. The launching of motorized vessels shall be prohibited and access to the ramp shall be blocked when the lake level drops below 54.0 feet above mean sea level NAVD. Signage shall be installed informing boaters of this restriction as depicted on the "Site Plans" submitted by Poulos & Bennett, LLC, as received by EPD on August 8, 2018.
10. A permanent staff gauge shall be properly installed and maintained in a usable condition at the end of the companion dock of the boat ramp, as depicted on the "Site Plans" submitted by Poulos & Bennett, LLC, as received by EPD on August 8, 2018. The accuracy of the staff gauge will be confirmed by a professional surveyor annually and at such times as the accuracy may be compromised by accident, vandalism or other occurrence. A letter shall be submitted to EPD with the survey information prior to final inspection or issuance of Certificate of Completion and following any other survey event.
11. The following restriction shall apply to the operation and use of the boat ramp: No fueling is allowed at the ramp; boats with antifouling paint may not use the ramp; power loading or unloading shall be prohibited; no draining or washing of watercraft shall be permitted at the ramp; and shoreline mooring shall be prohibited at the boat ramp.
12. The permittee shall restore any unauthorized wetland and/or littoral zone impacts (outside the designated access corridor) within 30 days of completion of the project.

13. This permit does not authorize any fill in wetlands, or below the NHWE of Lake Pickett, that may be necessary to construct the boat ramp facility, or maintain or create navigable access from the boat ramp to the lake, other than as depicted in the approved "Site Plans" submitted by Poulos & Bennett, LLC, as received by EPD on June 14, 2017 and August 8, 2018.
14. Fill material used to construct the boat ramp shall be clean and not contaminated with vegetation, hazardous or toxic waste, or other unsuitable materials.
15. Any minor modifications (as determined by the Environmental Protection Officer (EPO)) for the construction of the boat ramp facility may be approved by way of Consent Agenda.
16. A variance to Section 15-605(b)(11) (side setback) is hereby granted for the boat ramp facility. The side setback for the southern property line (adjacent to Lot 9) is hereby reduced from 25 feet to ten feet. The permittee shall maintain a five-foot high decorative fence and ten-foot wide landscaping buffer between the boat ramp facility and Lot 9.
17. Use of the boat ramp is limited to the residents of Lake Pickett Reserve and their usual and customary guests.
18. An oil-absorbent boom shall be installed and maintained at the end of the companion dock in accordance with the "Site Plans" submitted by Poulos & Bennett, LLC, as received by EPD on August 8, 2018.
19. Within 30 days of completion of the activities authorized herein, the permittee must provide an as-built drawing on a final survey, signed and sealed by an appropriate professional licensed by the State of Florida, with the notice of completion. The signed and sealed as-built survey shall include, but is not limited to: a plan view of the project site with the location of any conservation easements, tracts, or conservation areas, the NHWE for Lake Pickett, topographic elevations and cross sections with elevation data in the exact same area as the cross sections on the approved "Site Plans", and complete dimensions of the companion dock and boat ramp.

General Conditions:

20. A copy of this permit, along with EPD stamped and approved drawings, should be taken to the Orange County Zoning Division at 201 South Rosalind Avenue for approval. For further information, please contact the Orange County Zoning Division at (407) 836-5525.
21. After approval by Orange County Zoning, the certified site plans must be reviewed by the Orange County Building Division in order to obtain a building permit. For further information, please contact the Orange County Division of Building Safety at (407) 836-5550.

22. Prior to any filling within the 100-year flood zone, a Flood Plain Permit authorizing the fill must be obtained from the Orange County Stormwater Management Division.
23. Subject to the terms and conditions herein, the permittee is hereby authorized to perform or cause to be performed, the impacts shown on the application and approved drawings, plans, and other documents attached hereto or on file with EPD. The permittee binds itself and its successors to comply with the provisions and conditions of this permit. If EPD determines at any time that activities are not in accordance with the conditions of the permit, work shall cease and the permit may be revoked immediately by the EPO. Notice of the revocation shall be provided to the permit holder promptly thereafter.
24. Prior to construction, the permittee shall clearly designate the limits of construction on-site. The permittee shall advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
25. The permittee shall require the contractor to maintain a copy of this permit, complete with all approved drawings, plans, conditions, attachments, exhibits, and modifications in good condition at the construction site. The permittee shall require the contractor to review the permit prior to commencement of the activity authorized by this permit. The complete permit shall be available upon request by Orange County staff.
26. Issuance of this permit does not warrant in any way that the permittee has riparian or property rights to construct any structure permitted herein and any such construction is done at the sole risk of the permittee. In the event that any part of the structure(s) permitted herein is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent property owner's riparian or other property rights, the permittee agrees to either obtain written consent or to remove the offending structure or encroachment within 60 days from the date of the adjudication. Failure to comply shall constitute a material breach of this permit and shall be grounds for its immediate revocation.
27. This permit does not release the permittee from complying with all other federal, state, and local laws, ordinances, rules and regulations. Specifically, this permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities upon property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 15, Article XV of the Orange County Code. If these permit conditions conflict with those of any other regulatory agency, the permittee shall comply with the most stringent conditions. The permittee shall immediately notify

EPD of any conflict between the conditions of this permit and any other permit or approval.

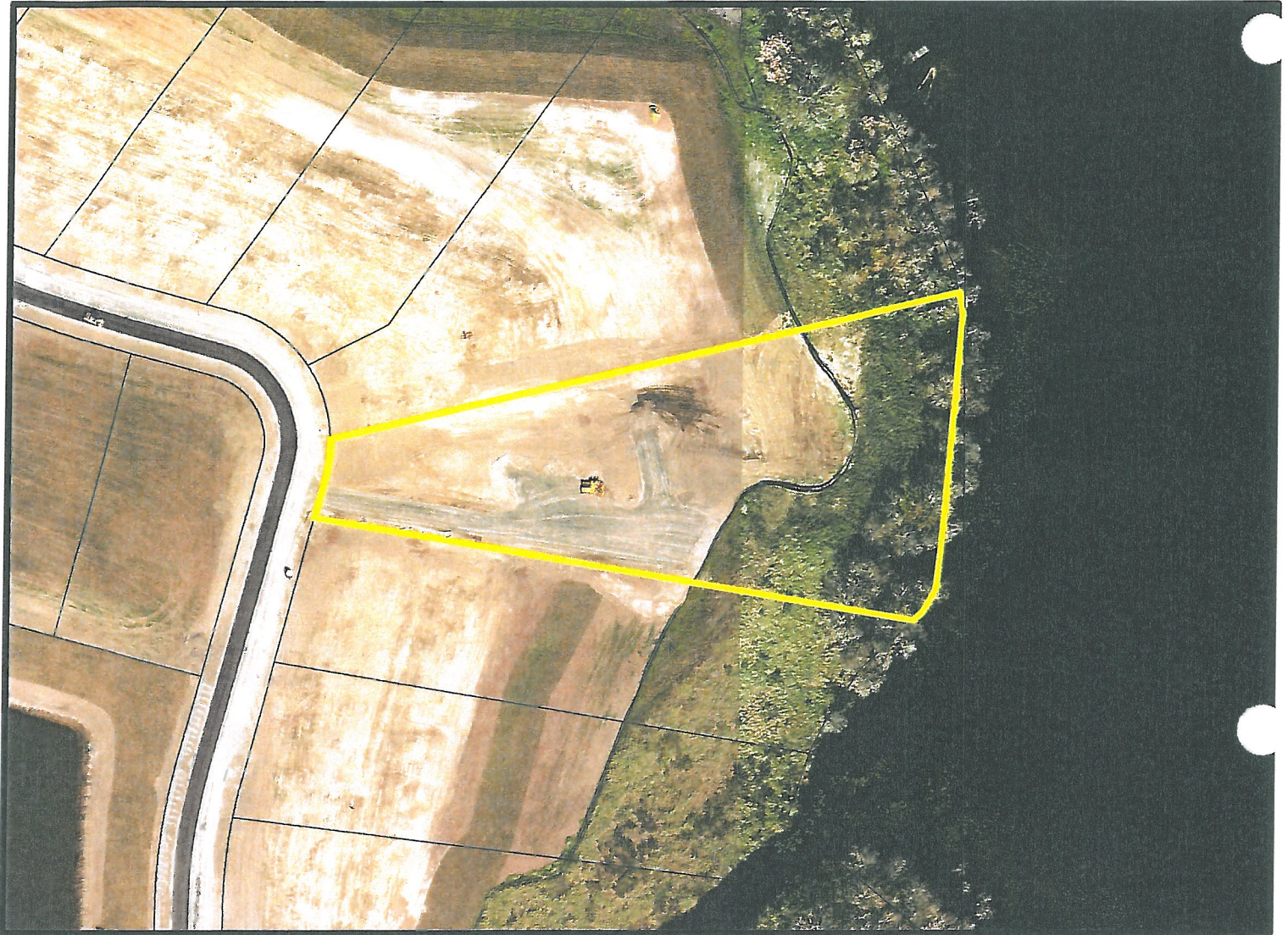
28. The permittee is hereby advised that Section 253.77, Florida Statutes, states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.
29. Should any other regulatory agency require changes to the property or permitted activities, the permittee shall provide written notification to EPD of the change prior to implementation so that a determination can be made whether a permit modification is required.
30. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.
31. The permittee shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate. EPD may revoke the permit upon discovery of information that may cause pollution to water bodies, cause an adverse impact on the riparian rights of other waterfront property owners, or impede the traditional use and enjoyment of the waterbody by the public.
32. EPD staff, with proper identification, shall have permission to enter the site at any reasonable time to inspect, sample, or test to ensure conformity with the plans and specifications approved by the permit.
33. The permittee shall notify EPD, in writing, within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. The permittee shall remain liable for any corrective actions that may be required as a result of any permit violations until the permit is legally transferred.
34. All excess lumber, scrap wood, trash, garbage and similar materials shall be immediately removed from wetlands or surface waters.
35. The permittee shall hold and save the County harmless from any and all damages, claims or liabilities, which may arise by reason of the activities authorized by the permit.
36. All costs, including attorney's fees, incurred by the County in enforcing the terms and conditions of this permit shall be required to be paid by the permittee.

37. The permittee agrees that any dispute arising from matters relating to this permit shall be governed by the laws of Florida and initiated only in Orange County.
38. Turbidity and sediments shall be controlled to prevent violations of water quality pursuant to Rule 62-302.500, 62-302.530(70) and 62-4.242 Florida Administrative Code. Best Management Practices, as specified in the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual, shall be installed and maintained at all locations where the possibility exists of transferring suspended solids into wetlands and/or surface waters due to the permitted activity. If site-specific conditions require additional measures, then the permittee shall implement them as necessary to prevent adverse impacts to wetlands and surface waters.
39. Pursuant to Section 125.022, Florida Statutes, issuance of this permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain the requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.
40. Pursuant to Section 125.022, Florida Statutes, the applicant shall obtain all other applicable state or federal permits before commencement of construction.

ACTION REQUESTED: Approval of Semi-Private Boat Ramp Facility Permit (BR-17-06-000) and Variance Request for Pulte Home Company for the Lake Pickett Clusters 4 & 5 Semi-Private Boat Ramp Project Site subject to the conditions listed in the staff report. District 5

JVW/DDJ: mg
Attachments

Semi-Private Boat Ramp Facility Permit Request



**Semi-Private Boat Ramp Facility
Permit Request
District 5**

Lake Pickett

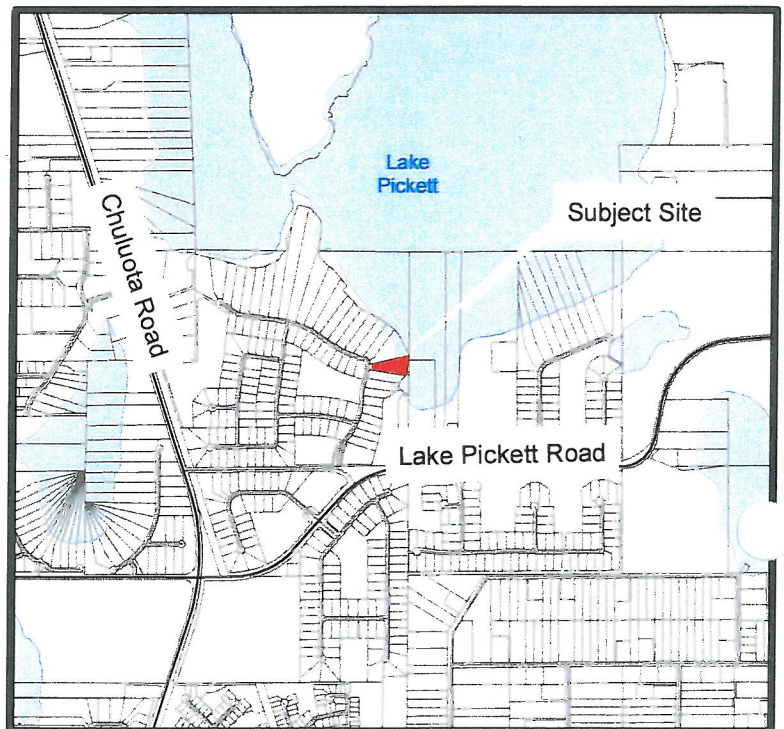
Applicant: Pulte Home Company

Parcel ID: 09-22-32-2501-18-001

**Semi-Private Boat Ramp Facility
Permit No.: BR-17-06-000**

Project Site 

Property Location 

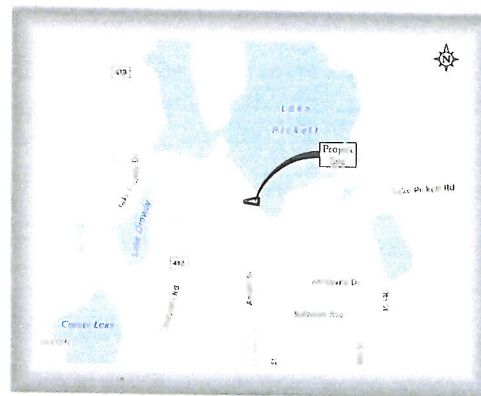


Construction Plans for Boat Ramp (Tract R-1) Lake Picket Cluster Parcels 4 & 5 Phase 1 Orange County, FL

Parcel Id. No.:
09-22-32-0000-00-009

Sheet Index		Subm./Rev.					
Sheet Id.	Sheet Title	1	2	3	4	5	6
C001	General Notes	■					
C002	Existing Conditions	■					
C200	Master Site Plan & Site Data	■					
C210	Erosion Control Plan & Details	■					
C400	Grading & Drainage Plan	■					
C500	Storage & Details	■					
Date		Description					
1	19/7/01	Initial Submission					

Owner/Developer/Applicant:
Pulte Homes
4901 Vineland Rd., Suite 500
Orlando, FL 32811



Vicinity Map
Scale: 1" = 2,000'

Civil Engineer:
Poulos & Bennett, LLC
2802 E. Livingston St.
Orlando, FL 32803
407.627.2514

Environmental:
Bio-Tech Consulting, Inc.
2002 E. Robinson St.
Orlando, FL 32803
407.894.9869
407.894.5979

Surveyor:
Republic National Land Surveyors
400 Needles Trl
Longwood, FL 32779
407.522.6200
407.522.6229

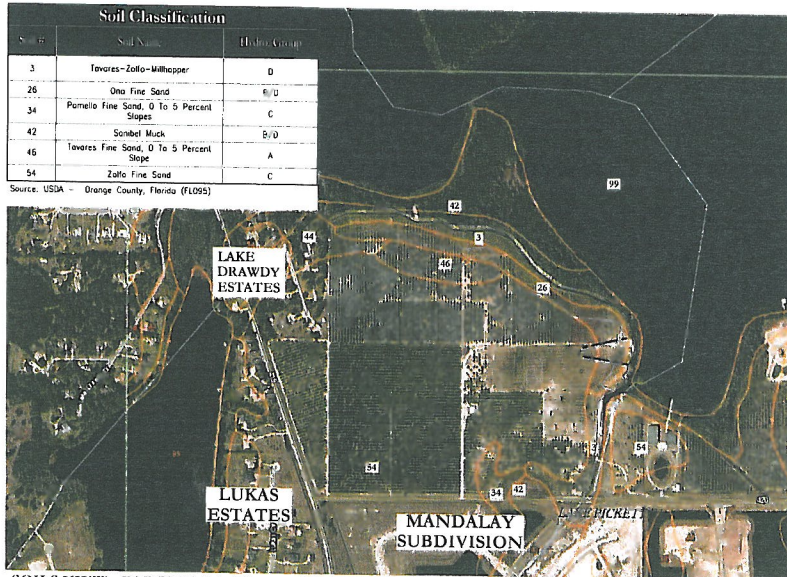
Geotechnical Engineer:
Universal Engineering Sciences
1032 Maple Blvd
Orlando, FL 32811
407.423.0564

ALL CONSTRUCTION PLANS MUST BE COMPLIED WITH THE LATEST EDITION OF THE FLORIDA DEPARTMENT OF TRANSPORTATION AND HIGHWAYS, FDOT, SPECIFICATIONS AND DETAILS, PART 6000, ROAD, AND THE FLORIDA COUNTY REGULATIONS AND SPECIFICATIONS.

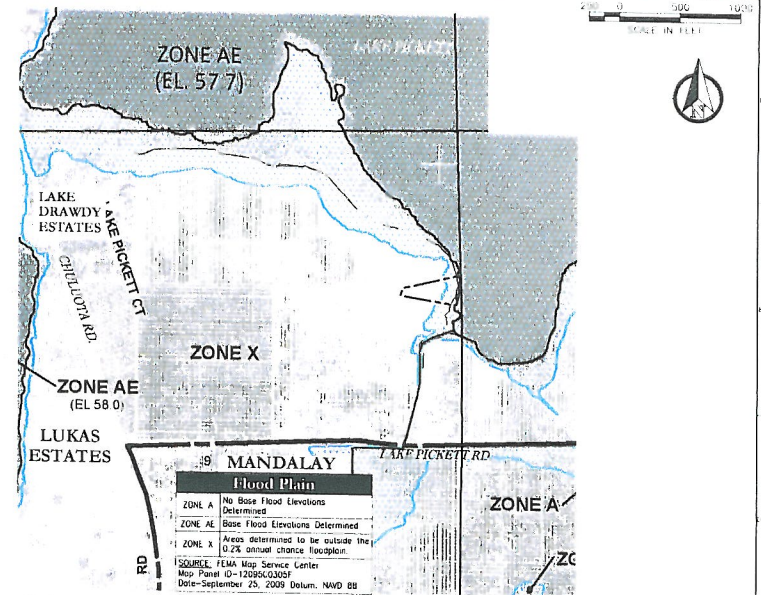
POULOS & BENNETT

2802 E. Livingston St., Orlando, FL 32803
Tel: 407.627.2514 www.poulosandbennett.com
Eng. Bus. No. 2856
E-Reg. Job No. 14-022

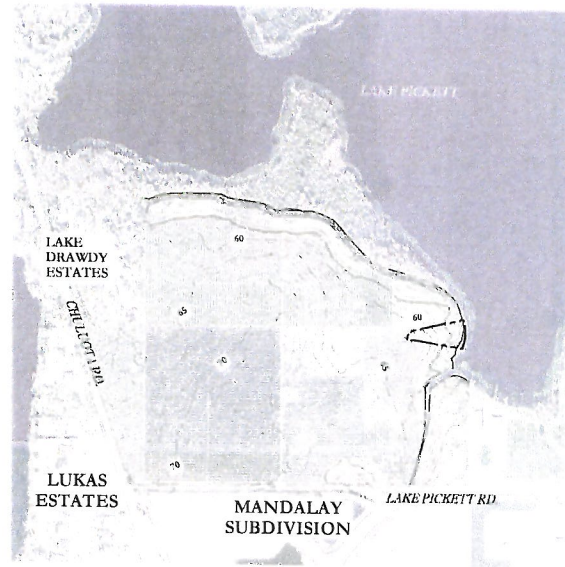
THE UNIVERSITY OF CHICAGO PRESS



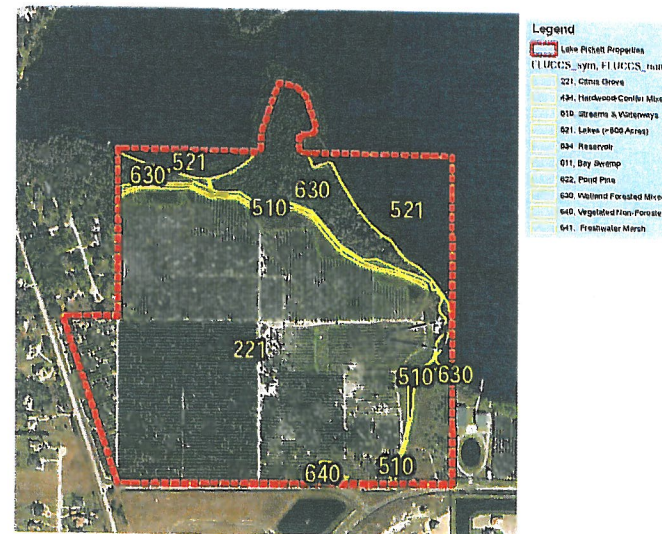
SOILS VIEW - PARCELS 4 & 5 Source: Bio-Tech Consulting, Inc.



FLOOD ZONE MAP - PARCELS 4 & 5



TOPOGRAPHY - PARCELS 4 & 5 Source: Republic National Land Surveyors Datum: NAVD 88



AERIAL & VEGETATION - PARCELS 4 & 5 Source: Bio-Tech Consulting, Inc.

Key map

Scale in feet

North Arrow

Project Name: BOAT RAMP (TRACT R-1)

Project Location: LAKE PICKETT CLUSTER PARCELS 4 & 5 PHASE 1

Submittal To: ORANGE COUNTY, FL

Project Title: EXISTING CONDITIONS

Sheet No: C0.02

Scale: 1" = 100'

Prepared By: POULOS & BENNETT

Reviewed By: POULOS & BENNETT

POULOS & BENNETT, LLC
2500 W. Tringwood, Orlando, FL 32835
Tel: 407.461.1014 www.poulosandbennett.com
Proj. No. 14-01-01

[illegible]

Project Name
**BOAT RAMP
(TRACT R-1)**

**LAKE PICKETT
CLUSTER
PARCELS 4 & 5
PHASE 1**

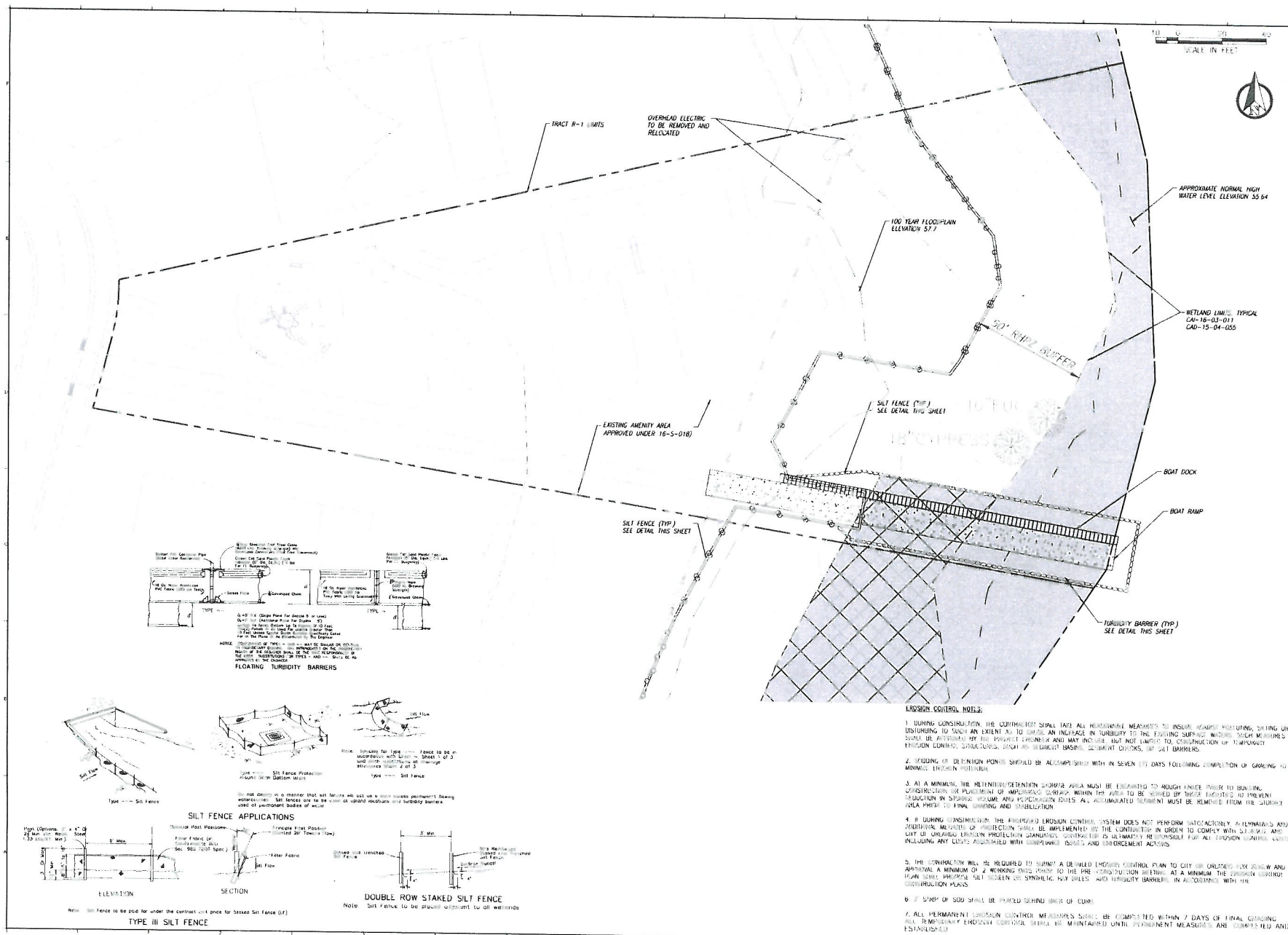
Submittal To:
ORANGE COUNTY, FL

Sheet Title:
**MASTER SITE
PLAN**

C2.00

POULOS & BENNETT

Poulos & Bennett, LLC
383 W. Livingston St., Chicago, IL 60605
Tel: 408 467 2995 www.poulos-bennett.com
Fax: 408 467 2867



Key Map

Site Map

Project Name	LAKE PICKETT CLUSTER PARCELS 4 & 5 PHASE 1
Project Number	16-03-013
Project Location	LAKE PICKETT CLUSTER PARCELS 4 & 5
Project Status	100%
Project Date	10/1/16
Project Drawn By	JLD
Project Checked By	JLD
Project Approved By	JLD
Project Date	10/1/16
Project Drawn By	JLD
Project Checked By	JLD
Project Approved By	JLD

Project Name
BOAT RAMP (TRACT R-1)

Project Number
LAKE PICKETT CLUSTER PARCELS 4 & 5 PHASE 1

Project Location
ORANGE COUNTY, FL

Project Title
EROSION CONTROL PLAN

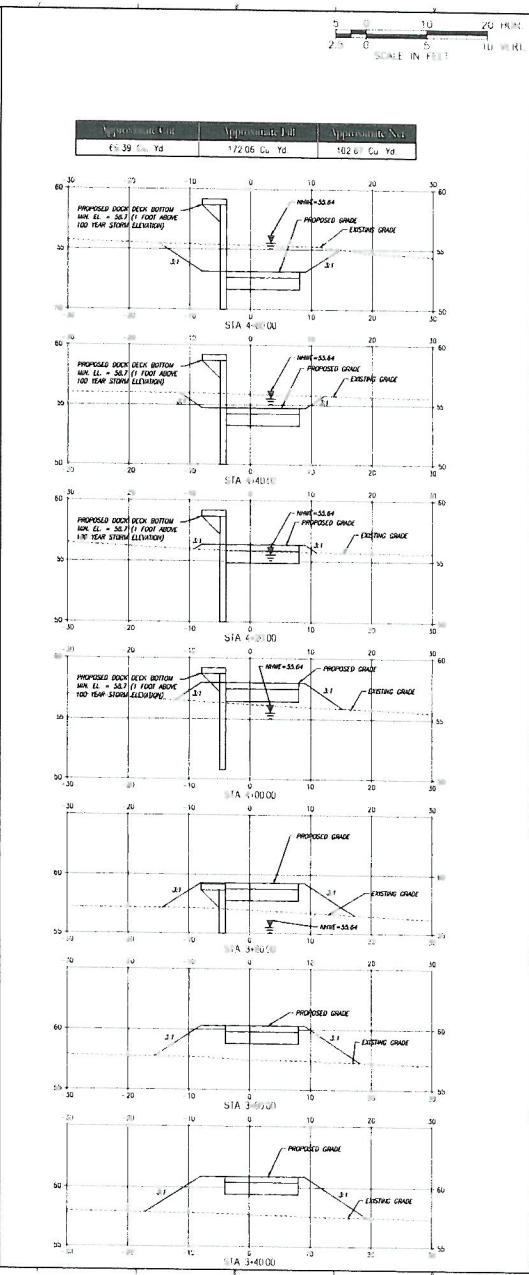
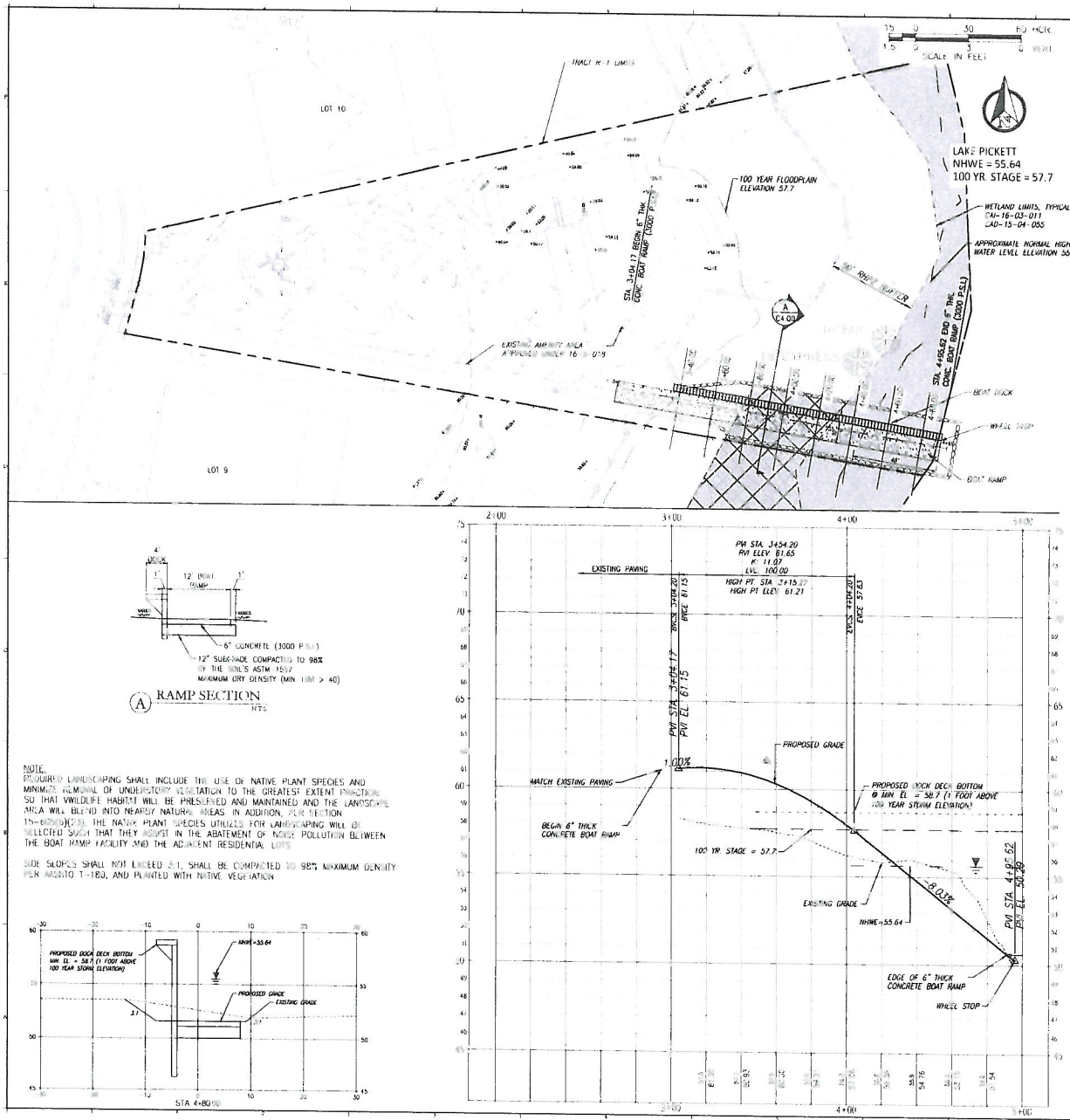
Project Date

C2.10

Notes

POULOS & BENNETT

Poulos & Bennett, LLC
1601 S. Orange Ave., Suite 200, Orlando, FL 32806
Tel: 407.481.1111 Fax: 407.481.1112
www.poulos-bennett.com
Proj. No. 16-03-013



Not Map

Scale in Feet

Scale in Feet

Approximate Station

Approximate Elevation

Approximate Notes

Proposed Phase

BOAT RAMP (TRACT R-1)

LAKE PICKETT CLUSTER PARCELS 4 & 5 PHASE 1

Submitted To: ORANGE COUNTY, FL

Sheet Title: GRADING & DRAINAGE PLAN

Sheet No: C4.00

Poulos & Bennett, LLC

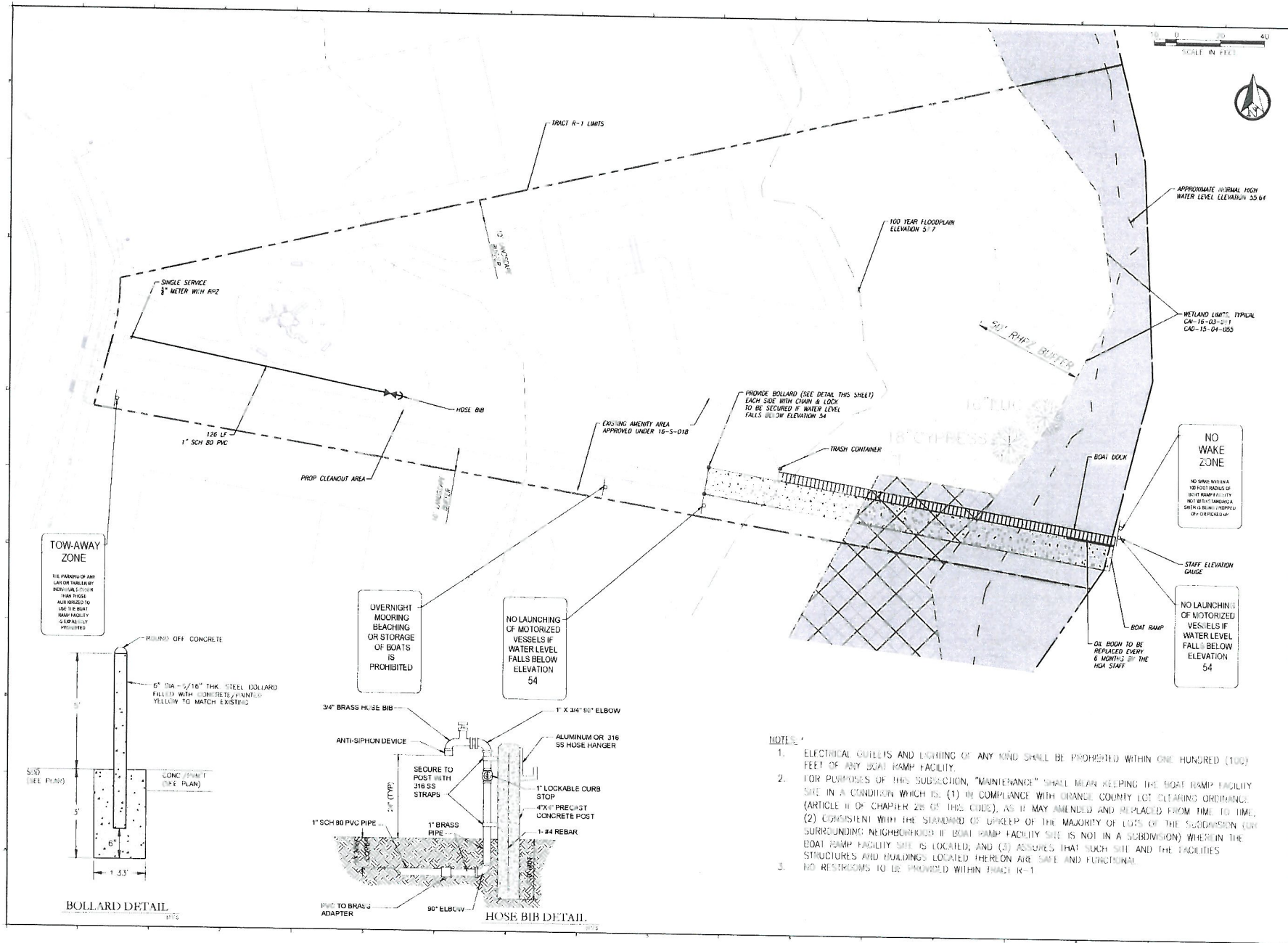
Poulos & Bennett, LLC

1000 N. Orange Blvd., Suite 100, Orlando, FL 32801

tel: 407.441.1111 fax: 407.441.1112

www.poulosandbennett.com

Reg. No. 10-00000000



Project Name: **BOAT RAMP (TRACT R-1)**

Location: **LAKE PICKETT CLUSTER PARCELS 4 & 5 PHASE 1**

Owner: **ORANGE COUNTY, FL**

Scale: **C5.00**

Notes:

- 1. ELECTRICAL GUTTERS AND LIGHTING OF ANY KIND SHALL BE PROHIBITED WITHIN ONE HUNDRED (100) FEET OF ANY BOAT RAMP FACILITY.
- 2. FOR PURPOSES OF THIS SUBSECTION, "MAINTENANCE" SHALL MEAN KEEPING THE BOAT RAMP FACILITY SITE IN A CONDITION WHICH IS: (1) IN COMPLIANCE WITH ORANGE COUNTY LOT CLEARING ORDINANCE (ARTICLE II OF CHAPTER 28 OF THIS CODE), AS IT MAY AMENDED AND REPLACED FROM TIME TO TIME; (2) CONSISTENT WITH THE STANDARD OF UNKEEP OF THE MAJORITY OF LOTS OF THE SUBDIVISION (OR SURROUNDING NEIGHBORHOOD) IF BOAT RAMP FACILITY SITE IS NOT IN A SUBDIVISION) WHEREIN THE BOAT RAMP FACILITY SITE IS LOCATED; AND (3) ASSURES THAT SUCH SITE AND THE FACILITIES STRUCTURES AND BUILDINGS LOCATED THEREON ARE SAFE AND FUNCTIONAL.
- 3. NO RESTROOMS TO BE PROVIDED WITHIN TRACT R-1.

POULOS & BENNETT

Poulos & Bennett, LLC
1642 W. 12th Ave., Suite 101, Ocala, FL 34475
Phone: 352-236-1111 Fax: 352-236-1112
www.poulosandbennett.com

