

STAFF REPORT

DATE: June 25, 2015

RE: **1901 S. Roosevelt Blvd (permit application # T15-7477)**

FROM: Karen DeMaria, City of Key West Urban Forestry Manager

An application was received for the removal of **(1) Mahogany tree**. A site inspection was done on June 25, 2015 and documented the following:

Tree Species: Mahogany (Swietenia mahagoni)









Co-dominant trunks



Exposed surface roots



Diameter: 20.7'''

Location: 80%

Species: 100% (on protected tree list)

Condition: 40% (poor structure, codominant main trunks)

Total Average Value = 73%

Value x Diameter = 15 replacement caliper inches

Recommend approval of the removal of (1) Mahogany tree at 1901 S. Roosevelt Blvd to be replaced with 15 caliper inches of FL#1 dicot trees from approved list.

Petition to table Item 14 on Key West Tree Commission Agenda 07/14/2015

Petition summary and background	The application for removal of a mahogany tree has never been discussed by the La Brisa Board of Administration in an open Board Meeting. Neither the majority of directors or owners were aware of this application until July 9, 2015. The applicant, Daniel Cholak is not an officer or director of La Brisa Association, Inc., the legal owner of the property, and was not authorized to submit the application to remove a mahogany tree from the property.
Action petitioned for	We, the undersigned, are concerned unit owners and members of La Brisa Association, Inc. who urge the Key West Tree Commissioners to act now to table Item 14 until the next meeting in order to allow time for this item to be considered at a La Brisa Board of Administration meeting.

Printed Name	Signature	Address	Comment	Date
Sandra S. Green	<i>Sandra S. Green</i>	1901 S Roosevelt Blvd 208N Key West, FL 33040	Please allow La Brisa to properly address this issue prior to resolution by the Key West Tree Commission.	7/13/15
Jonell Lemos	<i>Jonell Lemos</i>	1901 S Roosevelt Blvd 302N Key West, FL 33040		7/14/15
Marlene Friedman	<i>Marlene Friedman</i>	1901 S Roosevelt Blvd 301N Key West, FL 33040	<i>please do not destroy this beautiful tree</i>	7/14/15
Barbara Wolf	<i>Barbara Wolf</i>	1901 S Roosevelt Blvd 201N Key West, FL 33040	<i>The LA BRISA Board should at least discuss this ACTION</i>	7/14/15
Susan Wolf	<i>Susan Wolf</i>	1901 S Roosevelt Blvd 102N Key West, FL 33040		7/14/15
Jeanne E. Arkin	<i>Jeanne E. Arkin</i>	1901 S Roosevelt Blvd 204E Key West, FL 33040		7/14/15
Victoria Mendizabal	<i>Victoria Mendizabal</i>	1901 S. Roosevelt Blvd. 204N Key west, FL 33040		7/14/15
Robert McKee	<i>Robert McKee</i>	1901 S. Roosevelt Blvd. 208N Key West, FL 33040		7/14/15

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS

Detail by Entity Name

Florida Not For Profit Corporation

LA BRISA ASSOCIATION, INC.

Filing Information

Document Number	754587
FEI/EIN Number	592219600
Date Filed	10/13/1980
State	FL
Status	ACTIVE

Principal Address

1901 S ROOSEVELT BLVD
KEY WEST, FL 33040

Changed: 03/18/1991

Mailing Address

1901 S ROOSEVELT BLVD
KEY WEST, FL 33040

Changed: 02/19/2015

Registered Agent Name & Address

ARKIN, JEANNE E
1901 S ROOSEVELT BLVD
KEY WEST, FL 33040

Name Changed: 08/15/2013

Address Changed: 08/28/2008

Officer/Director Detail

Name & Address

Title Director

Kramer, Linda J

1901 S Roosevelt Boulevard
110 West
Key West, FL 33040

Title Secretary

Arkin, Jeanne E
1901 S Roosevelt Boulevard
204 East
Key West, FL 33040

Title President

Salvatore, Harry
1901 S Roosevelt Boulevard
403 North
Key West, FL 33040

Title Treasurer

Tedeschi, Louis
1901 S Roosevelt Boulevard
107 South
Key West, FL 33040

Title Director

Cyr, Roger
1901 South Roosevelt Boulevard
106 East
Key West, FL 33040

Title Director

Kawaler, Justin
1901 South Roosevelt Boulevard
308 East
Key West, FL 33040

Title VP

Harris, Nathanel
1901 S Roosevelt Boulevard
407 North
Key West, FL 33040

Title Director

Janner , Theodore

1901 South Roosevelt Boulevard
405 East
Key West, FL 33040

Title Director

Damich, Edward J
1901 South Roosevelt Boulevard
104 North
Key West, FL 33040

Annual Reports

Report Year	Filed Date
2013	04/22/2013
2014	01/07/2014
2015	02/19/2015

Document Images

02/19/2015 -- ANNUAL REPORT	View image in PDF format
01/07/2014 -- ANNUAL REPORT	View image in PDF format
08/15/2013 -- Reg. Agent Change	View image in PDF format
04/22/2013 -- ANNUAL REPORT	View image in PDF format
08/24/2012 -- ANNUAL REPORT	View image in PDF format
04/10/2012 -- ANNUAL REPORT	View image in PDF format
03/25/2011 -- ANNUAL REPORT	View image in PDF format
04/14/2010 -- ANNUAL REPORT	View image in PDF format
03/24/2009 -- ANNUAL REPORT	View image in PDF format
08/28/2008 -- Reg. Agent Change	View image in PDF format
03/14/2008 -- ANNUAL REPORT	View image in PDF format
11/16/2007 -- ANNUAL REPORT	View image in PDF format
05/14/2007 -- ANNUAL REPORT	View image in PDF format
04/17/2007 -- ANNUAL REPORT	View image in PDF format
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01/18/2005 -- ANNUAL REPORT	View image in PDF format
01/07/2004 -- ANNUAL REPORT	View image in PDF format
01/22/2003 -- ANNUAL REPORT	View image in PDF format
03/29/2002 -- ANNUAL REPORT	View image in PDF format
05/15/2001 -- ANNUAL REPORT	View image in PDF format

Karen DeMaria

From: Dan Cholak <cholak533@yahoo.com>
Sent: Tuesday, July 21, 2015 10:36 AM
To: Karen DeMaria
Subject: Fw: Fwd: Re: La Brisa Formal Complaint of Mahogany Tree

Karen,

I am glad I asked. Here is what I have. Let me know if it good enough. automart e-mail is Harry Salvatore (President).

Dan

From: [automartofclearfield](#)
Sent: Wednesday, July 15, 2015 5:51 PM
To: [Dan Cholak](#)
Subject: Fwd: Re: La Brisa Formal Complaint of Mahogany Tree

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: "Rogel, David" <DRogel@bplegal.com>
Date: 07/15/2015 4:50 PM (GMT-05:00)
To: kdemaria@keywestcity.com
Cc: "Suarez, Ana" <ASuarez@bplegal.com>
Subject: Re: La Brisa Formal Complaint of Mahogany Tree

Karen:

I am legal counsel for La Brisa. I have been advised of the complaint regarding the tree permit. I apologize for City's involvement in an internal La Brisa dispute. I also apologize for using email to communicate with you at this moment, but wanted to make sure that you understood the Association's position as quickly as possible.

I have been asked by the Association president to assure you that the tree permit application was authorized by him and that the managers signature was, likewise, authorized. The Petition filed with respect to the permit by a group of owners is not from the Association, as I am sure you acknowledge.

It is understood that there will be sentiment against the removal of any tree, but the Association believes that there is appropriate support for the removal, in terms of what the Tree Commission utilizes as criteria. I can assure you that the Board of Directors will address the ultimate removal, and address the concerns of its

members. However, I would request on behalf of the Association that the Commission grant the permit so that the ultimate decision to remove can be handled, within the confines of the condominium document.

Please call me should you have any questions or wish to discuss this matter. I thank you for your time.

From: [Karen DeMaria](#)
Sent: Wednesday, July 15, 2015 12:54 PM
To: [Dan Cholak](#)
Subject: RE: La Brisa Formal Complaint of Mahogany Tree

Attached is the one page petition I was handed at the meeting. I had scanned it this morning along with the sunbiz board of directors info I had from the State. Otherwise, there was the e-mail that was sent to us on Friday which should be in the legistar agenda on the internet.

Sincerely,

Karen

From: Dan Cholak [<mailto:cholak533@yahoo.com>]
Sent: Wednesday, July 15, 2015 8:54 AM
To: Karen DeMaria
Subject: La Brisa Formal Complaint of Mahogany Tree

Karen,

Good morning. Can you please send me the formal complaint or complaints that were filed concerning the mahogany tree at La Brisa. Harry Salvatore (La Brisa President) will contact La Brisa's attorney to send you a letter.

Dan Cholak

<1901 la brisa ad ifo.pdf>

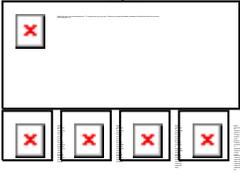
David H. Rogel

Shareholder

Alhambra Towers | 121 Alhambra Plaza, 10th Floor | Coral Gables, FL 33134

Tel: 305.262.4433 | Fax: 305.442.2232 | [E-Mail](#)

[Website](#) | [Connect on LinkedIn](#)



Application



7477

Tree Permit Application

Date: 6-23-2015

Please Clearly Print All Information unless indicated otherwise.

Tree Address 1901 S. Roosevelt Blvd.
 Cross/Corner Street S. Roosevelt Blvd & Bertha Street
 List Tree Name(s) and Quantity One Mahogany
 Species Type(s) check all that apply () Palm () Flowering () Fruit (X) Shade () Unsure
 Reason(s) for Application:

REMOVE Tree Health Safety Other/Explain below
 () TRANSPLANT () New Location () Same Property () Other/Explain below
 () HEAVY MAINTENANCE () Branch Removal () Crown Cleaning/Thinning () Crown Reduction
 Additional Information and Explanation See attached letter

Property Owner Name La Brisa Association, Inc.
 Property Owner eMail Address labrisaassociat at bellsouth.net
 Property Owner Mailing Address 1901 S. Roosevelt Blvd. Office
 Property Owner Mailing City Key West State FL Zip 33040
 Property Owner Phone Number (305) 295-7403
 Property Owner Signature [Signature]

Representative Name Daniel L. Cholak
 Representative eMail Address cholak533 at Yahoo.com
 Representative Mailing Address 1901 S. Roosevelt Blvd 202 South
 Representative Mailing City Key West State FL Zip 33040
 Representative Phone Number (305) 295-7403

NOTE: A Tree Representation Authorization form must accompany this application if someone other than the owner will be representing the owner at a Tree Commission meeting or picking up an issued Tree Permit.

Tree Representation Authorization form attached ()

<<<<< Sketch location of tree in this area including cross/corner Street >>>>>

Please identify tree(s) with colored tape

Bertha Street

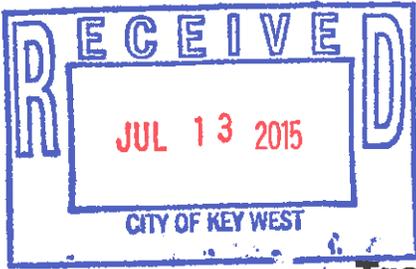


⊗ ← Mahogany

6-25-15
 20.7" diameter
 6-5" circ
 raised surface roots
 codominant

S. Roosevelt Blvd

If this process requires blocking of a City right-of-way, a separate ROW Permit is required. Please contact 305-809-3740.



Tree Representation Authorization

Date: 7/9/15

Attendance at the Tree Commission meeting on the date when your request will be discussed is necessary in order to expedite the resolution of your application. This Tree Representation Authorization form must accompany the application if the property owner is unable to attend or will have someone else pick up the Tree Permit once issued.

Please Clearly Print All Information unless indicated otherwise.

Tree Address 1901 S. Roosevelt Blvd.

Property Owner Name La Brisa Association, Inc. Harry Salvatore (President)
Property Owner eMail Address labrisaassociat@bellsouth.net
Property Owner Mailing Address 1901 S. Roosevelt Blvd. Office
Property Owner Mailing City Key West State FL Zip 33040
Property Owner Phone Number (305) 294-1901
Property Owner Signature [Signature]

Representative Name Daniel Cholak
Representative eMail Address cholak533@yahoo.com
Representative Mailing Address 1901 S. Roosevelt Blvd 202 South
Representative Mailing City Key West State FL Zip 33040
Representative Phone Number (305) 295-7403

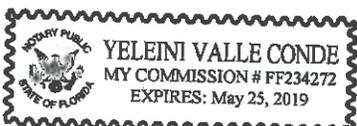
I Harry Salvatore, hereby authorize the above listed agent(s) to represent me in the matter of obtaining a Tree Permit from the City of Key West for my property at the tree address above listed. You may contact me at the telephone listed above is there is any questions or need access to my property.

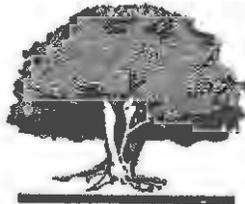
Property Owner Signature [Signature]

The forgoing instrument was acknowledged before me on this 9 day July, 2015.

By (Print name of Affiant) HARRY J. SALVATORE who is personally known to me or has produced PA DL as identification and who did take an oath.

NOTARY PUBLIC
Sign Name: [Signature] Notary Public - State of Florida (seal)
Print Name: YELEINI VALLE
My Commission Expires: _____





Lic. SP#1466



June 23, 2015

LA BRISA ASSOCIATION, INC

ATTN: : Dan Cholak

1901 South Roosevelt Boulevard

Key West, FL 33040

RE: Tree Evaluation/ Assessment

Dear Mr. Cholak:

Thank you for the opportunity to evaluate some of the trees at the Las Brisas Condominiums property. In regards to the 'Swietenia mahagoni' (Mahogany) tree located by the office/bath house and entrance to the pool, I have a safety concern.

The Mahogany tree measures 20.7" with a single trunk until approximately 5" above the grade at which point two large limbs split. Currently, there is a slight to moderate bark inclusion where the limbs join. In addition, these two limbs stay dominant much larger than the other secondary limbs. Furthermore, this tree is exceptionally tall and spreading due to the surrounding environment consisting of other trees and tall buildings. I believe that almost all of the weight of this large tree is supported by the two main limbs at the point of attachment which has a bark inclusion. If this tree were located in an area with very little pedestrian traffic, pruning might be a short term option.

However, in this particular case, I do not feel pruning is a viable option. The way that the tree is situated, if it fails, the limb will land on the sidewalk causing serious damage to property or injury or death to a pedestrian. In my professional opinion, this tree is a safety hazard and must be removed.

Please do not hesitate to contact me if you have any further questions regarding this matter.

Sincerely,

Jeff D. Gautier

ISA Certified Arborist - SO 0496

LIC. SP#1466

Karen DeMaria

From: Dan Cholak <cholak533@yahoo.com>
Sent: Tuesday, June 23, 2015 3:12 PM
To: Karen DeMaria
Cc: cholak533 Yahoo
Subject: La Brisa 3 of 3 Authorization
Attachments: 2015-05-15 - Tree Permit Authorization.pdf

Karen,

This is the letter I sent;

Here is my Tree Permit Application for the removal of the mahogany to be on the July 14th agenda, letter for reason to remove the tree, my Tree Permit Authorization and three pictures.

Dan