

# STAFF REPORT

DATE: July 9, 2021

RE: Administrative Hearing for 1011 Catherine Street (TC2021-0006)

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

On May 12, 2021, a complaint was received regarding the cutting into a tree due to the installation of a fence. An inspection documented that a wood fence was being installed along a property line and an avocado tree in the rear corner of the property had been abused-cuts were made to the main trunk and branches in order to install framing for the fence. The person on site doing the work gave permission to inspect the tree and was informed of the issue and code violation. A business card was left for the property owner and subsequently, a meeting with the property owner was held onsite. Further research determined that the fence was being installed without a permit and the person doing the work was not a licensed contractor.



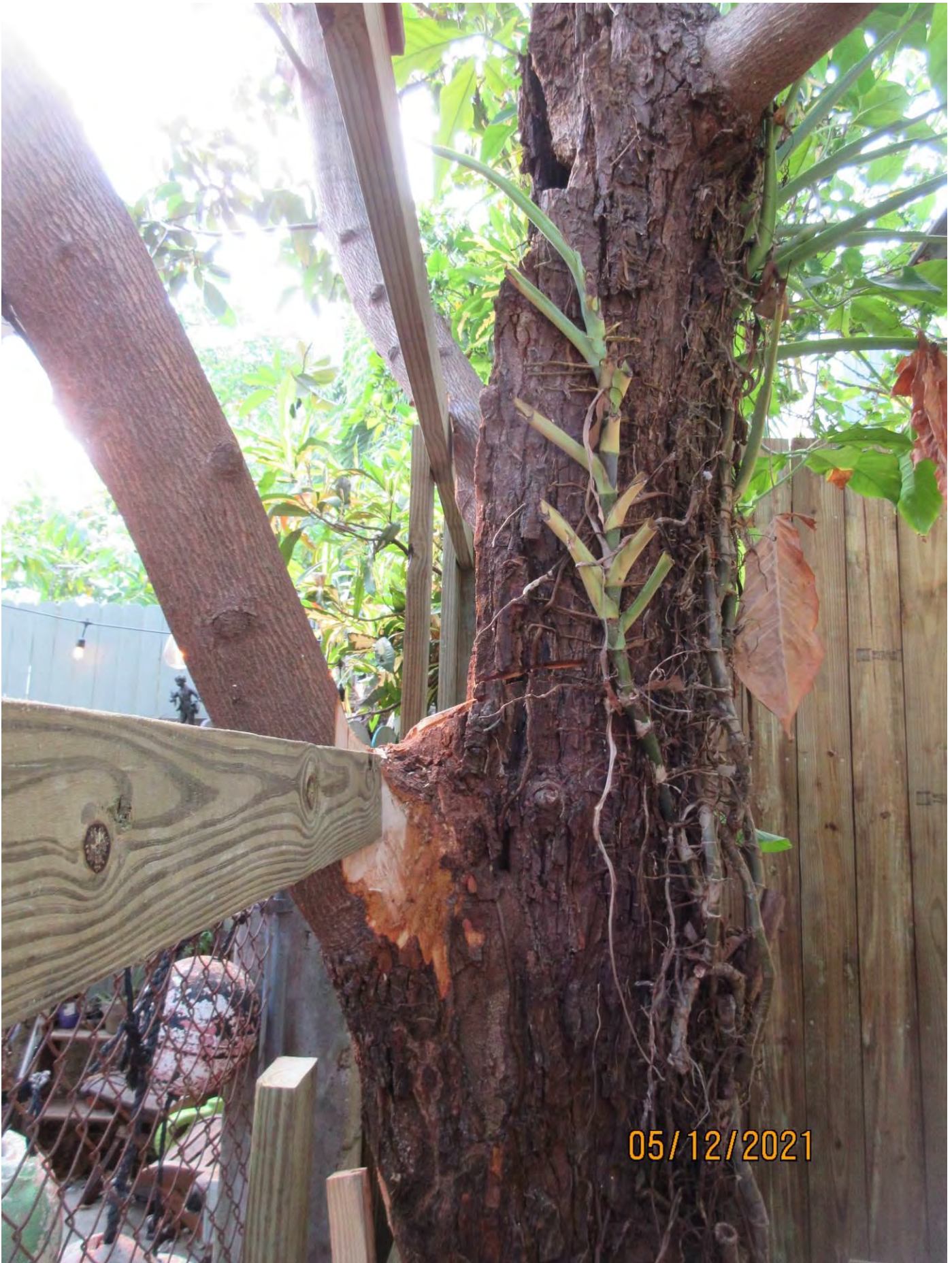
Photo showing fence and tree.



Photo showing tree and fence installation damage. Note that main tree trunk had been damaged previously by a storm in the past and branches were regrowth.



Photo showing tree “canopy” and old storm damaged main trunk.



Closer view of fence and tree damage, view 1.



Closer view of fence and tree damage, view 2.



Closer view of fence and tree damage, view 3.



05/12/2021

Clouser view of fence and tree damage, view 4.

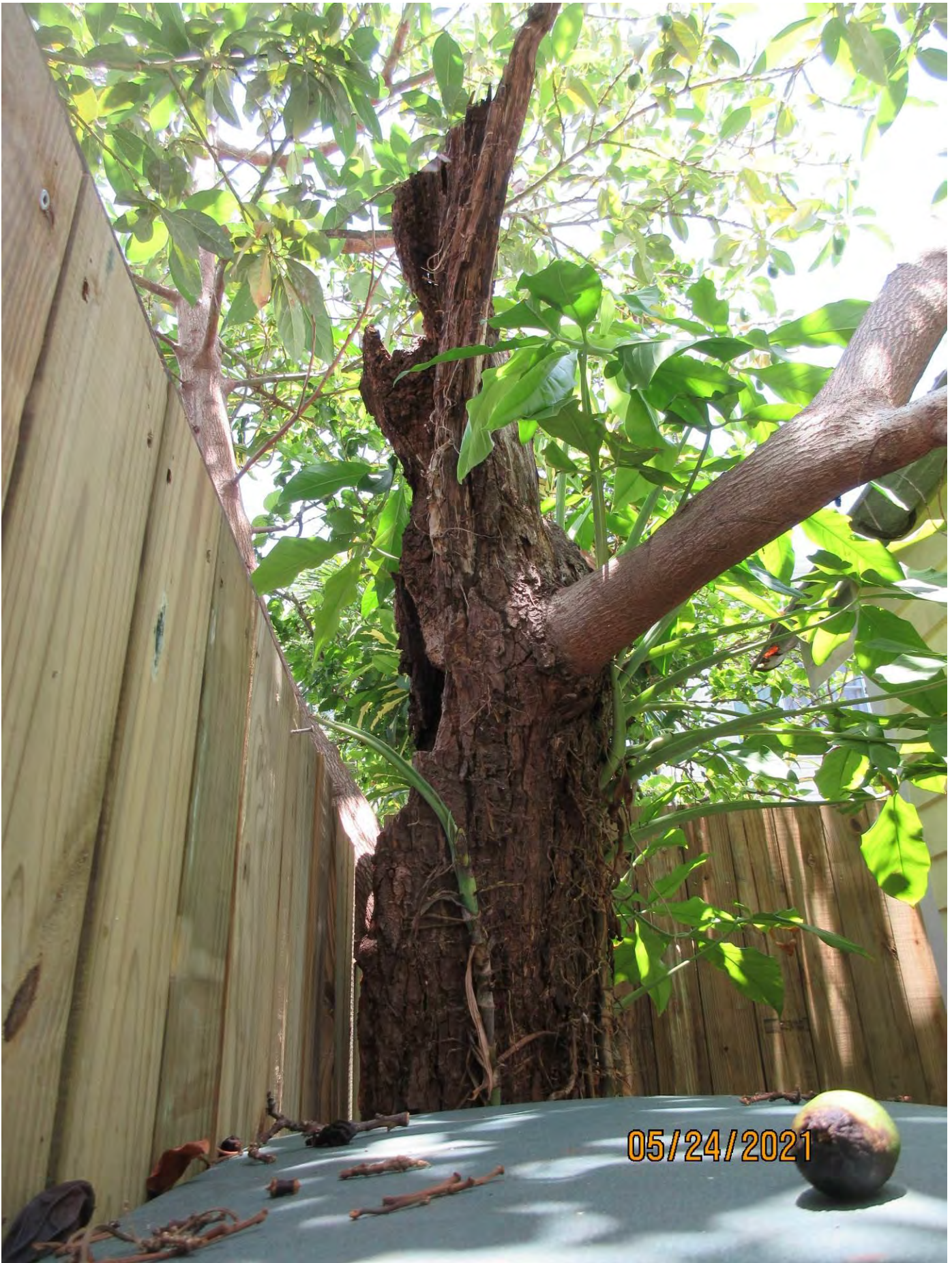


Photo of tree trunk and completed fence, view 1.





Photo of tree trunk and completed fence, view 2.



Above are two photos of tree trunk and completed fence, views 3 and 4.



Photo of tree branch and fence.



Photo of tree trunk and completed fence, view 5.



Photo of tree branches from neighboring property.

# Additional Information

## Karen DeMaria

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**From:** mikenagy@yahoo.com  
**Sent:** Tuesday, June 29, 2021 12:32 PM  
**To:** Karen DeMaria  
**Subject:** [EXTERNAL] Re: 1011 Catherine Tree Commission hearing notice

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Karen,

I have received the notice to appear before the committee on July 13 and will be in attendance as requested. Please note that I understand this violation is my responsibility to resolve and will cooperate with the Tree Commission to achieve a mutually desirable result.

Sincerely

Mike Nagy

On Friday, June 25, 2021, 05:32:12 PM EDT, Karen DeMaria <kdemaria@cityofkeywest-fl.gov> wrote:

Please see attached the hearing notice regarding the tree abuse case with the avocado tree. Copies have been mailed to you.

Sincerely,

Karen

## Karen DeMaria

Karen DeMaria

Urban Forestry Manager

Certified Arborist FL-6585A

City of Key West

305-809-3768

**VIA HAND DELIVERY:**

May 24, 2021

City of Key West Code Enforcement/Planning/Building Departments  
1300 White Street  
Key West, FL 33040

**RE: Letter of No Objection – Privacy Fence at Western Boundary of 1011 Catherine Street (City of Key West Code Case 2021-00826)**

To Whom it May Concern:

We are the owners of the property located at 1009 Catherine Street, situated immediately West of the subject property. The privacy fence which is the subject of the above referenced Code Enforcement action abuts the Eastern boundary line of our property.

Please allow this correspondence to serve as our letter of consent/no objection to the issuance of an after-the-fact height variance, building permit, and any other planning/building approvals necessary to legally permit the fence as currently configured.

The fence is a benefit not only to the subject property, but to our own, and is in character with the many non-conforming fences in the immediate area.

It is our wish that this matter be dealt with swiftly and that no penalties be assessed against the owners of the subject property as a result of the construction.

Please feel free to contact us directly at (305) 304-3874 if there are any additional questions related to this matter.

Respectfully,



Nick Batty, Esq.



Samantha Batty

## Karen DeMaria

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**From:** Karen DeMaria  
**Sent:** Thursday, May 13, 2021 9:03 AM  
**To:** Karen DeMaria  
**Subject:** FW: Stop Work Order Case# 21 00826. 1011 Catherine St.

**From:** Edward J. Keane <[ekeane@cityofkeywest-fl.gov](mailto:ekeane@cityofkeywest-fl.gov)>  
**Sent:** Thursday, May 13, 2021 8:40 AM  
**To:** Code Compliance <[CodeCompliance@cityofkeywest-fl.gov](mailto:CodeCompliance@cityofkeywest-fl.gov)>  
**Cc:** Building <[building@cityofkeywest-fl.gov](mailto:building@cityofkeywest-fl.gov)>; HARC <[harc@cityofkeywest-fl.gov](mailto:harc@cityofkeywest-fl.gov)>  
**Subject:** Stop Work Order Case# 21 00826. 1011 Catherine St.

Unpermitted Fence Replacement





**Disclaimer**

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

**Summary**

Parcel ID 00031860-000000  
 Account# 1032646  
 Property ID 1032646  
 Millage Group 10KW  
 Location 1011 CATHERINE ST, KEY WEST  
 Address  
 Legal KW G G WATSON SUB I-209 PT LOT 13 SQR 6 TR 13 A5-287 G7-591-96 OR635-390 OR679-676 OR679-677/78 OR784-1233/34 OR1043-1094/95  
 Description OR1043-1096/97 OR1074-1363/64C OR1074-1365/64 OR1275-352/56-RES NO 93-422 OR1275-357/59 OR1275-360/62 OR1374-1242/3 OR1374-1244/45 OR1374-1246/7 OR1703-1547/48 OR2074-1291/1293 OR2762-1309/11R/S  
(Note: Plot to be used as legal description.)  
 Neighborhood 6096  
 Property Class SINGLE FAMILY RESID (0100)  
 Subdivision  
 Sec/Twp/Rng 05/68/25  
 Affordable No  
 Housing



**Owner**

NAGY MICHAEL SEAN  
 1011 Catherine St  
 Key West FL 33040

BEALE SUSAN LEE  
 1011 Catherine St  
 Key West FL 33040

**Valuation**

	2020	2019	2018	2017	2016
+ Market Improvement Value	\$240,950	\$243,569	\$246,188	\$248,807	\$214,670
+ Market Misc Value	\$14,389	\$14,938	\$15,487	\$16,036	\$17,126
+ Market Land Value	\$460,428	\$451,095	\$445,651	\$445,651	\$479,094
= Just Market Value	\$715,767	\$709,602	\$707,326	\$710,494	\$710,890
= Total Assessed Value	\$715,767	\$709,602	\$707,326	\$710,494	\$710,890
- School Exempt Value	(\$25,500)	(\$25,500)	(\$25,500)	(\$25,500)	(\$25,500)
= School Taxable Value	\$690,267	\$684,102	\$681,826	\$684,994	\$685,390

**Land**

Land Use	Number of Units	Unit Type	Frontage	Depth
RESIDENTIAL DRY (010D)	3,111.00	Square Foot	53	58

**Buildings**

Building ID	2503	Exterior Walls	ABOVE AVERAGE WOOD
Style	1 STORY ELEV FOUNDATION	Year Built	1928
Building Type	S.F.R. - R1 / R1	EffectiveYearBuilt	2016
Gross Sq Ft	2195	Foundation	CONC BLOCK
Finished Sq Ft	1388	Roof Type	GABLE/HIP
Stories	1 Floor	Roof Coverage	METAL
Condition	GOOD	Flooring Type	SFT/HD WD
Perimeter	210	Heating Type	
Functional Obs	0	Bedrooms	2
Economic Obs	0	Full Bathrooms	2
Depreciation %	3	Half Bathrooms	0
Interior Walls	WD PANL/CUSTQM	Grade	550
		Number of Fire Pl	0

Code	Description	Sketch Area	Finished Area	Perimeter
OPX	EXC OPEN PORCH	416	0	0
FLA	FLOOR LIV AREA	1,388	1,388	0
OPU	OP PR UNFIN LL	391	0	0
TOTAL		2,195	1,388	0

**Yard Items**

Description	Year Built	Roll Year	Quantity	Units	Grade
WALL AIR COND	1993	1994	1	1 UT	1
WALL AIR COND	1994	1995	1	1 UT	2
BRICK PATIO	1994	1995	1	78 SF	2
FENCES	1994	1995	1	852 SF	2
FENCES	2010	2011	1	480 SF	2
RES POOL	1993	1994	1	200 SF	4

**Sales**

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
9/24/2015	\$850,000	Warranty Deed		2762	1309	O2 - Qualified	Improved
1/7/2005	\$949,000	Warranty Deed		2074	1291	Q - Qualified	Improved
6/15/2001	\$440,000	Warranty Deed		1703	1547	Q - Qualified	Improved
10/1/1995	\$300,000	Warranty Deed		1374	1246	U - Unqualified	Improved
9/1/1993	\$115,000	Warranty Deed		1275	0360	Q - Qualified	Improved
3/1/1988	\$85,000	Warranty Deed		1043	1094	Q - Qualified	Improved
3/1/1979	\$65,000	Conversion Code		784	1233	Q - Qualified	Improved

