

# STAFF REPORT

DATE: June 26, 2019

RE: 1409-1411 Flagler Avenue (permit application # T2019-0252)

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

An application was received requesting the removal of (1) Royal Poinciana tree. A site inspection was done and documented the following:

Tree Species: Royal Poinciana (*Delonix regia*)



Photo taken while standing on Flagler Avenue looking property.



Photo of tree, canopy view 1.



Photo of tree, trunk view 1.



Photo of whole tree, view 1.



Photo of whole tree, view 2.



Photo of base of tree.



Photo of tree canopy and house walls view 1.



Photo of tree canopy and house walls view 2.



Photo of tree canopy and house walls view 1.



Photo of tree canopy and house walls view 1.



Photo of tree trunk, view 1.



Photo of tree trunk, view 2.



Old photo of tree trunk, view 1.





Old photo of tree trunk, view 2.



Updated view of tree trunk with required tree protection.

Diameter: 18.1"

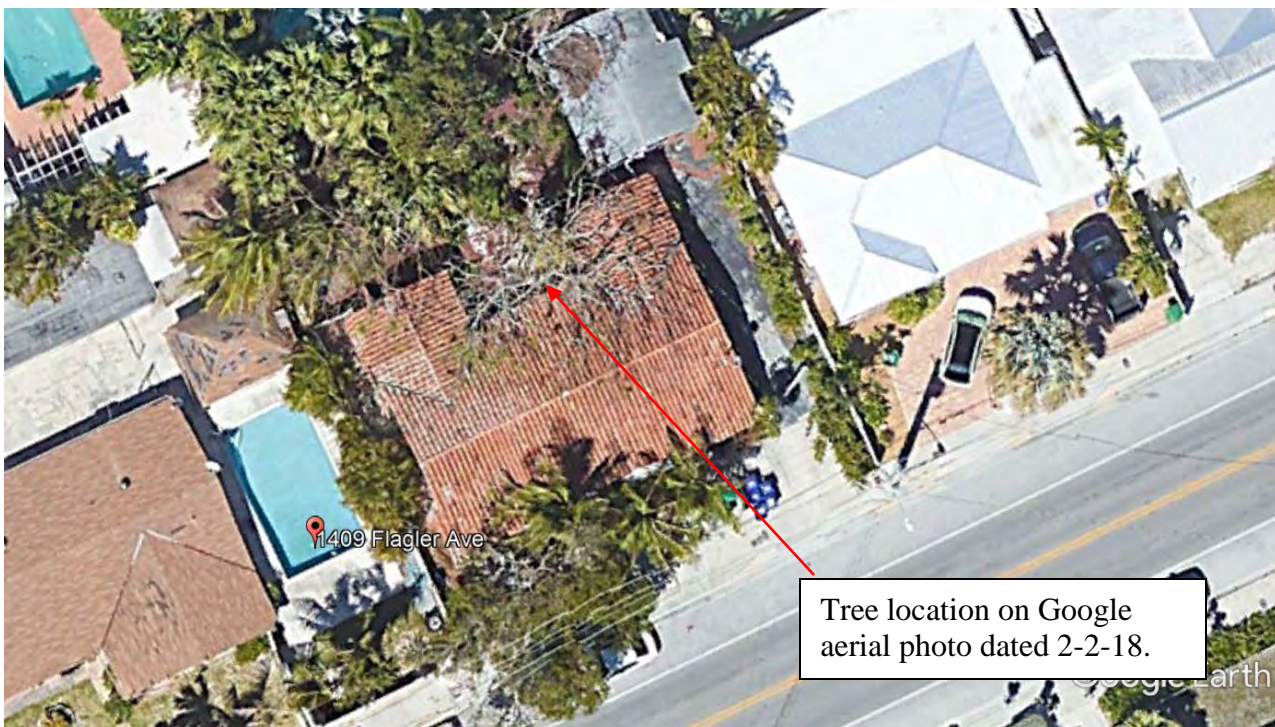
Location: 50% (growing very close to structure. Originally, tree trunk against roof edge (1-25-19 photo). Plans call for elevating structure)

Species: 100% (on protected tree list)

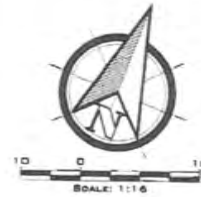
Condition: 80% (good)

Total Average Value = 76%

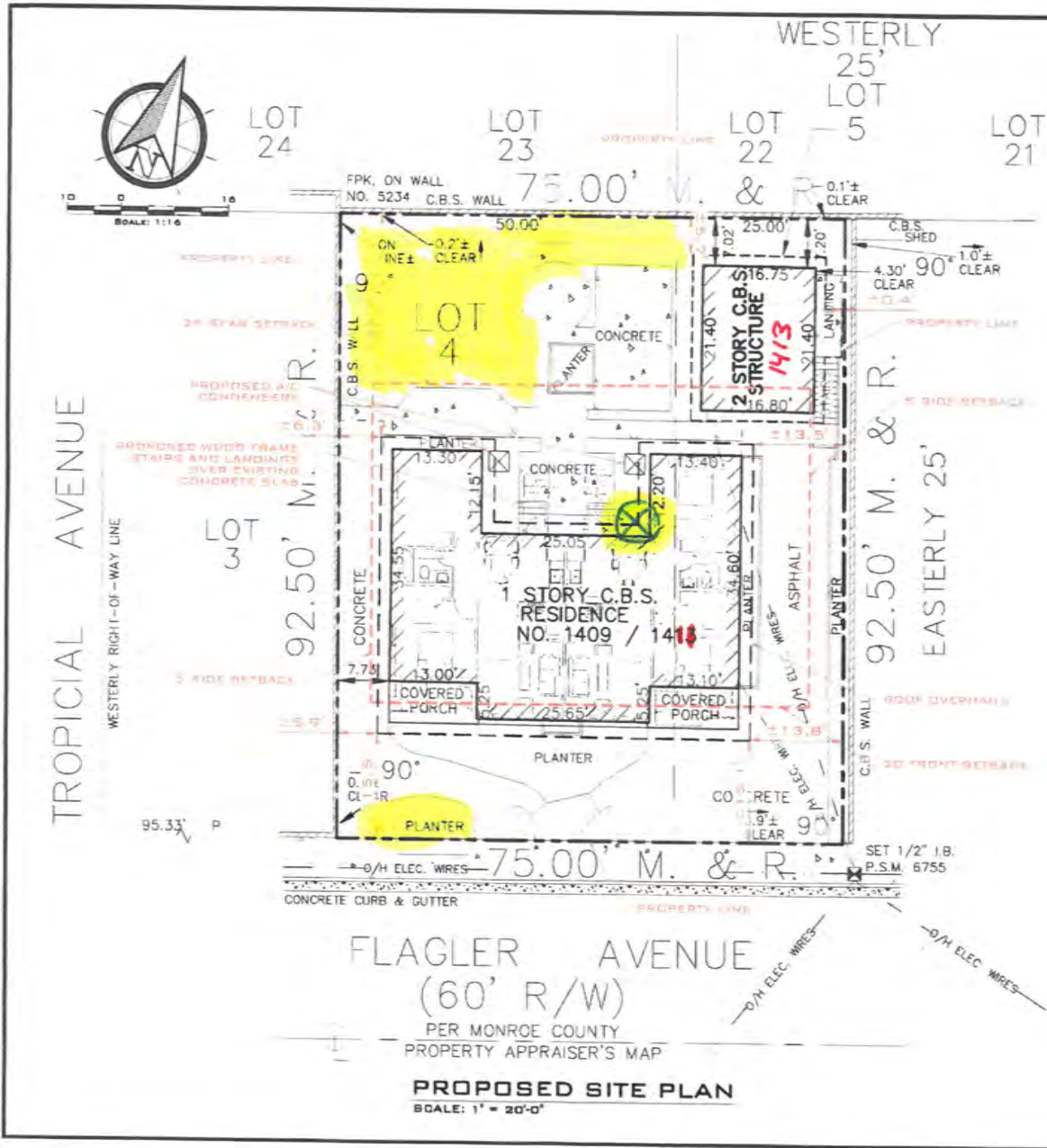
Value x Diameter = 13.7 replacement caliper inches



Trees



SCALE 1" = 16'



**SITE DATA:**

TOTAL SITE AREA: ±6,937.5 SQ. FT.

LAND USE: BF

FLOOD ZONE: AE7

**SETBACKS**

**FRONT:**  
 REQUIRED: 20 FT (SEC. 122-1151 F.N. 6)  
 EXISTING: ±14.9 FT  
 PROPOSED: ±15.1 FT IMPROVEMENT

**SIDE:**  
 REQUIRED: 5 FT  
 EXISTING: ±5.7 FT  
 PROPOSED: ±5.9 FT IMPROVEMENT

**SIDE:**  
 REQUIRED: 5 FT  
 EXISTING: ±0.4 FT  
 PROPOSED: NO CHANGE

**REAR:**  
 REQUIRED: 25 FT  
 EXISTING: ±5.7 FT  
 PROPOSED: NO CHANGE

**MAXIMUM IMPERVIOUS SURFACE RATIO:**

REQUIRED: 50% (3,468.7 SQ. FT.)  
 EXISTING: 74.89% (±5,195.6 SQ. FT.)  
 PROPOSED: NO CHANGE

**MAXIMUM BUILDING COVERAGE:**

REQUIRED: 35% (2,428.1 SQ. FT.)  
 EXISTING: 39.58% (±2,746.5 SQ. FT.)  
 PROPOSED: NO CHANGE

**NOTE: ADDITIONAL COVERAGE BY REAR STAIRS & CONDENSERS COMPENSATED BY ROOF OVERHANG REDUCTION BY 3'.**

**OPEN SPACE MINIMUM:**

REQUIRED: 35% (2,428.1 SQ. FT.)  
 EXISTING: 25.11% (±1,741.9 SQ. FT.)  
 PROPOSED: NO CHANGE

**MAXIMUM HEIGHT:** 25+5 FT (30FT)

EXISTING: ±14.5 FT  
 PROPOSED: ±17.2 FT

REV: DESCRIPTION: DT: DATE:

001: FINAL

**ARTIBUS DESIGN**  
 ENGINEERING AND PLANNING

ARTIBUS DESIGN  
 3706 N. ROOSEVELT BLVD  
 SUITE 1-208  
 KEY WEST, FL 33040  
 (305) 304-3312  
 WWW.ARTIBUSDESIGN.COM  
 CA # 30835

CLIENT: GARY THE CARPENTER

PROJECT: 1409 FLAGLER AVE

SITE: 1409 FLAGLER AVE  
 KEY WEST, FL 33040

TITLE: PROPOSED SITE PLAN

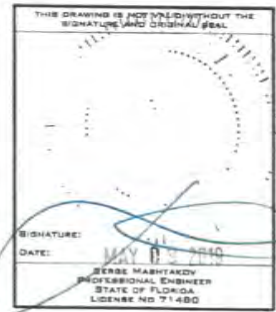
SCALE: DATE: DRAWN: CHECKED: SHEET NO. OF SHEETS

AS SHOWN: 05/06/18: MHB: PAN: 1904-09: C-101: 1

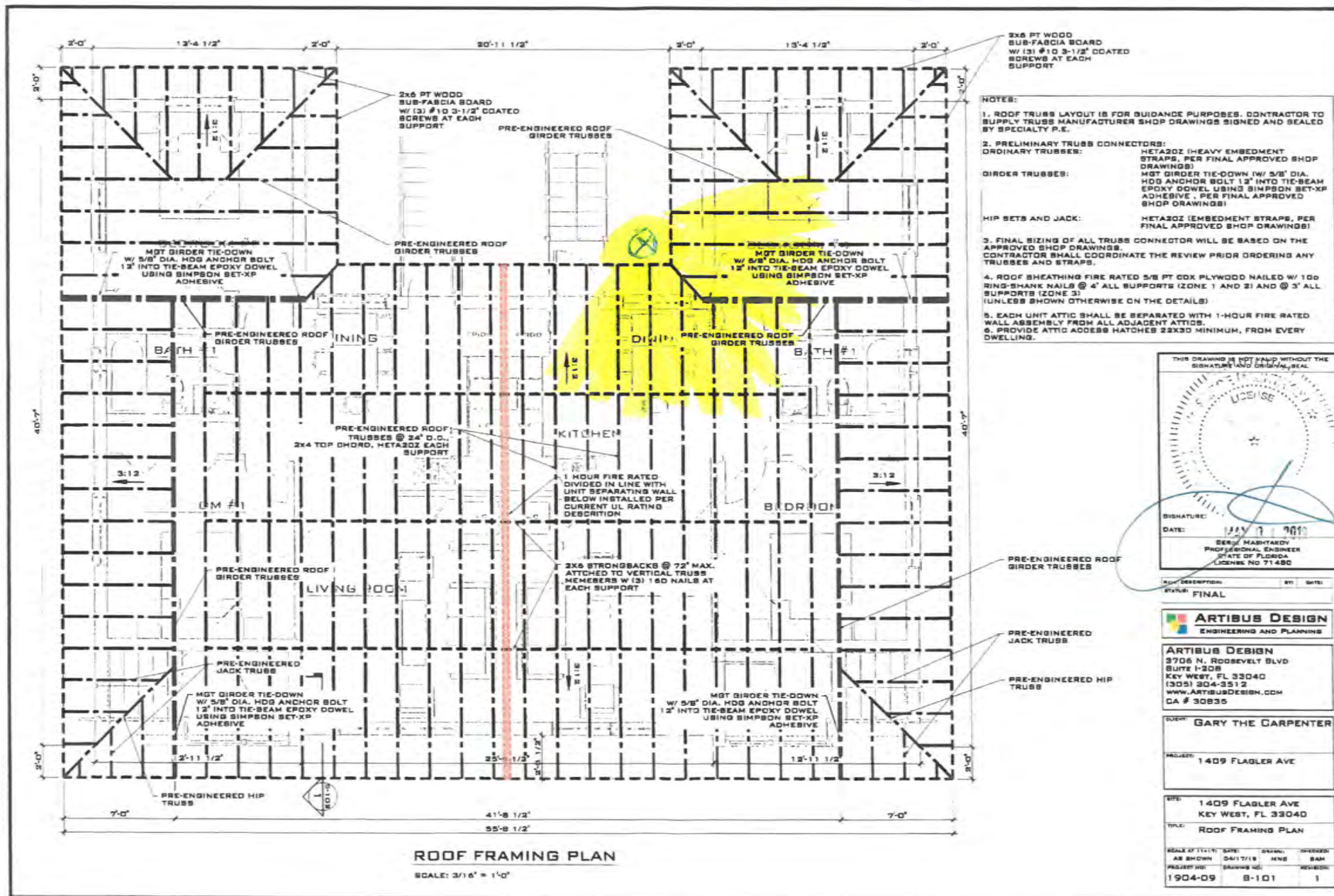
SIGNATURE: *[Signature]*

DATE: MAY 11 2018

BERNE HABYKANDY  
 PROFESSIONAL ENGINEER  
 STATE OF FLORIDA  
 LICENSE NO. 71480



Royal Palmyra  
tree canopy



**NOTES:**

1. ROOF TRUSS LAYOUT IS FOR GUIDANCE PURPOSES. CONTRACTOR TO SUPPLY TRUSS MANUFACTURER SHOP DRAWINGS SIGNED AND SEALED BY SPECIALTY P.E.
2. PRELIMINARY TRUSS CONNECTORS:  
 ORDINARY TRUSSES: HETA20Z (HEAVY EMBEDMENT STRAPS, PER FINAL APPROVED SHOP DRAWINGS)  
 GIRDER TRUSSES: HETA20Z (HEAVY EMBEDMENT STRAPS, PER FINAL APPROVED SHOP DRAWINGS)  
 HIP SETS AND JACK: HETA20Z (EMBEDMENT STRAPS, PER FINAL APPROVED SHOP DRAWINGS)
3. FINAL SIZING OF ALL TRUSS CONNECTOR WILL BE BASED ON THE APPROVED SHOP DRAWINGS. CONTRACTOR SHALL COORDINATE THE REVIEW PRIOR ORDERING ANY TRUSSES AND STRAPS.
4. ROOF SHEATHING FIRE RATED 5/8" FT COX PLYWOOD NAILED W/ 100 RING-SHANK NAILS @ 4' ALL SUPPORTS (ZONE 1 AND 2) AND @ 3' ALL SUPPORTS (ZONE 3) (UNLESS SHOWN OTHERWISE ON THE DETAILS)
5. EACH UNIT ATTIC SHALL BE SEPARATED WITH 1-HOUR FIRE RATED WALL ASSEMBLY FROM ALL ADJACENT ATTICS.
6. PROVIDE ATTIC ACCESS HATCHES 22X30 MINIMUM, FROM EVERY DWELLING.



DESCRIPTION: [Blank]  
 DATE: [Blank]

STATUS: FINAL

**ARTIBUS DESIGN**  
 ENGINEERING AND PLANNING

**ARTIBUS DESIGN**  
 3706 N. ROOSEVELT BLVD  
 SUITE 1-208  
 KEY WEST, FL 33040  
 (305) 204-3512  
 WWW.ARTIBUSDESIGN.COM  
 CA # 30835

OWNER: GARY THE CARPENTER

ADDRESS: 1409 FLAGLER AVE

PROJECT: 1409 FLAGLER AVE  
 KEY WEST, FL 33040

TITLE: ROOF FRAMING PLAN

SCALE OF TITLE: DATE: DRAWN: CHECKED:

AS SHOWN: 06/17/10 HMB BAH

PROJECT NO: 1904-09 DRAWING NO: 8-101 SHEET NO: 1

**ROOF FRAMING PLAN**

SCALE: 3/16" = 1'-0"

# Application

RECEIVED  
MAY 24 2019  
BY: KD



T2019-0252+  
Vote#

# Tree Permit Application

1409/1411 Fruit

Date: 4/2/19

Please Clearly Print All Information unless indicated otherwise.

**Tree Address** 1409 1413 Flagler Ave  
**Cross/Corner Street**  
**List Tree Name(s) and Quantity** Portulaca Royal Poinciana  
**Species Type(s) check all that apply** ( ) Palm ( ) Flowering ( ) Fruit ( ) 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**  
1409-1413 Flagler LLC  
PO Box 1527  
KW 33041

**Property Owner Name** MARK ROSSI  
**Property Owner eMail Address** mrossi@keywest.aol.com  
**Property Owner Mailing Address** 24 Hilton Howard Dr  
**Property Owner Mailing City** Key West State FL Zip 33041  
**Property Owner Phone Number** (305) 797-1054  
**Property Owner Signature**

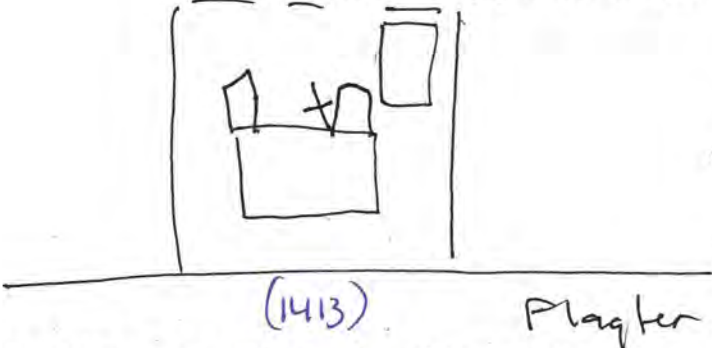
**Representative Name** Albert Bonzelief  
**Representative eMail Address**  
**Representative Mailing Address** P.O. Box 244  
**Representative Mailing City** Key West State FL Zip 33040  
**Representative Phone Number** (305) 304-6963

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 ( )

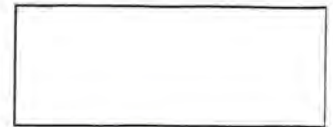
<<<<< Sketch location of tree in this area including cross/corner Street >>>>>

Please identify tree(s) with colored tape



4'9" cut 18.1 dbh

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: 5/24/19

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 1409-1413 FLAGLER AVE

Property Owner Name MARK ROSSI

Property Owner eMail Address ROSSIKEYWEST@AOL.COM

Property Owner Mailing Address 24 Hillside Dr

Property Owner Mailing City Key West State FL Zip 33040

Property Owner Phone Number (305) 417-1054

Property Owner Signature [Signature]

Representative Name ALBERT GONZALEZ

Representative eMail Address \_\_\_\_\_

Representative Mailing Address P.O. Box 244

Representative Mailing City Key West State FL Zip 33040

Representative Phone Number (305) 304-6963

I MARK ROSSI, 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 24 day May 2019.

By (Print name of Affiant) Mark Rossi who is personally known to me or has produced FL DL as identification and who did take an oath.

### NOTARY PUBLIC

Sign Name: Natalie L Hill

Notary Public - State of Florida (seal)

Print Name: Natalie L. Hill

My Commission Expires: 11/29/2020



## Karen DeMaria

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**From:** Karen DeMaria  
**Sent:** Monday, June 3, 2019 4:12 PM  
**To:** Albert Gonzalez  
**Subject:** RE: 1409 Flagler Ave. Poinciana Tree

Hi Albert:

The Tree Commission meeting is Tuesday, July 9, 2019 at 5 p.m. at the City Hall Commission Chambers.

Please note that additional information will be needed regarding the requested removal of the Royal Poinciana tree. Is the tree diseased or in poor condition? Why does the tree have to be removed,? Can't construction avoid impacting the tree? This information should be submitted to my office prior to June 21 in order for me to do a proper review and to be included in the public file.

Sincerely,

Karen

**From:** Albert Gonzalez <algun57@yahoo.com>  
**Sent:** Monday, June 3, 2019 10:08 AM  
**To:** Karen DeMaria <kdemaria@cityofkeywest-fl.gov>  
**Subject:** Re: 1409 Flagler Ave. Poinciana Tree

Karen,

Good morning, my understanding is that the application has been submitted for 1409 Flagler Ave. for the removal of the Royal Poinciana tree that is closest to the house in the back .

The owner of the property will not be present for the meeting and I would like to know the actual date and time of the meeting so I can be there. He has put me down on the application as a representative for the property.

Thank you for your support and consideration.

Sincerely,

Albert Gonzalez  
305-304-6963

Sent from Yahoo Mail for iPhone

On Friday, April 5, 2019, 8:42 AM, Karen DeMaria <kdemaria@cityofkeywest-fl.gov> wrote:

The actual dead tree appears to have been removed already and I do not know what exactly it was. The remaining tree with no leaves is a Royal Poinciana tree, a protected tree species.

Sincerely,



## Karen DeMaria

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**From:** Scott Fraser  
**Sent:** Friday, June 14, 2019 12:48 PM  
**To:** Karen DeMaria; Terrence Justice  
**Cc:** Patrick Wright; Ron Wampler  
**Subject:** RE: Flagler Ave Property

The front building has the addresses of 1409-1411.

The rear building is addressed as 1413. This structure only has permits to repair/replace the tie-beam and exploratory demo. They've yet to apply for a renovation permit for this building. I've got a floodplain hold on any new permits for this structure, as it'll need 50% Substantial Improvement analysis.

### *Scott*

Scott Fraser, CFM - Floodplain Administrator  
T: 305-809-3810 | [sfraser@cityofkeywest-fl.gov](mailto:sfraser@cityofkeywest-fl.gov) | [www.CityofKeyWest-FL.gov/Flood](http://www.CityofKeyWest-FL.gov/Flood)

**From:** Karen DeMaria  
**Sent:** Friday, June 14, 2019 9:17 AM  
**To:** Terrence Justice <[tjustice@cityofkeywest-fl.gov](mailto:tjustice@cityofkeywest-fl.gov)>; Scott Fraser <[sfraser@cityofkeywest-fl.gov](mailto:sfraser@cityofkeywest-fl.gov)>  
**Cc:** Patrick Wright <[pwright@cityofkeywest-fl.gov](mailto:pwright@cityofkeywest-fl.gov)>; Ron Wampler <[rwampler@cityofkeywest-fl.gov](mailto:rwampler@cityofkeywest-fl.gov)>  
**Subject:** FW: Flagler Ave Property

I am processing an application to remove a healthy Royal Poinciana tree from 1409-1413 Flagler Ave. I have been aware of the property for several months and was waiting for a building permit application to come through on review so that I could make comments regarding tree protection and the need for a tree removal permit. Imagine my surprise when I found out that they do have a building permit to raise the floors/walls?. Please note that I do not think the house can be raised as planned without removing the Royal Poinciana tree therefore, I do not think a permit should have been issued to allow the work to be done and know that the representatives for the property were aware of the need for the tree removal permit from my office. The tree removal application will be discussed by the Tree Commission at the July 9 meeting. If the permit is denied to remove the tree, then the project will probably have to be redesigned.

There are a number of protected trees on this property. I request a tree protection plan on most building permits where protected trees exist. There are numerous sections of the City Code that require tree protection be used. When I visited the site yesterday, there was no tree protection. When I voiced my concerns to Mr. Gonzalez, the main representative for the property on-site, he immediately had a crew start cleaning the rear yard areas and establishing the required tree protection. I do appreciate his immediate actions. I have not inspected the front yard area to see if tree protection is needed there but I suspect it may.

From what I see in TRAKIT, there are two applications for this address (1409 Flagler). B2019-1624 has not been issued and was only reviewed by Building and Flood Plain. The application is for exterior renovation work. B2019-1740 has been issued with a review by Building and Flood Plain for exterior renovation work. I do not know what the difference is between these two applications. I am aware that there are three addresses on this site (1409, 1411, 1413).

Please make note of my concerns in the files for this property.

Sincerely,