

Administrative Hearing Notice



THE CITY OF KEY WEST

Tree Commission

Post Office Box 1409 Key West, FL 33041-1409

Telephone: 305-809-3723

**NOTICE OF ADMINISTRATIVE HEARING
BEFORE THE TREE COMMISSION OF THE CITY OF KEY WEST**

February 20, 2016

Tree Commission
City of Key West
Petitioner,

Vs.

William Levinson
235 N. Main Street
New Hope, PA 18938

An administrative hearing before the Tree Commission for the City of Key West will be held on **Tuesday, March 8, 2016**, at 5:00 p.m., at Old City Hall, 510 Green St. Key West, Florida.

This hearing will be conducted pursuant to sections 110-288 et. seq. of the Key West City Code. The purpose of this hearing will be to determine if a code violation has been committed by the above named Respondent. Your presence is required at this Tree Commission meeting.

Date of alleged violation: prior to February 10, 2016 at 1209 Watson Street

Alleged code violation:

Section 110-321. Permit Required.

(a) Unless a tree removal permit approved by the tree commission and issued by the urban forestry manager has been obtained, no person, whether on publicly or privately owned land, shall cause tree abuse or other harm, or major maintenance to, hatracking, transplanting, topping or removal of the following:

(3) Any dicot/canopy tree which is four (4) inches or more in diameter at standard height (DSH);

Factual allegation: A sugar apple tree greater than 4" diameter was removed from the property without benefit of a tree removal permit.



If the Tree Commission for the City of Key West finds that there has been a violation of the above code section, it will elect to enter into a compliance settlement agreement pursuant to section 110-291 of the Key West City Code or recommend a fine and further hearing before the Special Master of The City of Key West pursuant to section 110-294 of the Key West City Code.

Attendees are hereby notified that a complete and accurate record of the proceeding is required under Florida Statute 286.0105 if an appeal is sought. Appellants are responsible for providing transcription services.

I hereby certify that the forgoing notice has been e-mailed to the Respondent, and has been sent regular mail and certified U.S. Mail to the above named Respondent's listed address on this **22nd day of February 2016**.

If you have any questions, please call the office at (305) 809-3768.

Karen DeMaria
Urban Forestry Manager
kdemaria@cityofkeywest-fl.gov

cc: William Levison
1209 Watson Street
Key West, FL 33040

Craig Reynolds
517 Duval Street Suite 204
Key West, FL 33040

Staff Report

STAFF REPORT

DATE: February 23, 2016

RE: **1209 Watson Street (Administrative Hearing)**

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

An application was submitted to the building department to relocate a pool location at 1209 Watson Street. During the simultaneous plan review process, I asked the applicant/agents about trees possibly located in the back yard and their locations in relation to the pool. An inspection by the agent for the owner, Craig Reynolds, revealed that three trees are located in the back yard near the pool area and one of them, a sugar apple tree, had been removed. The property owner submitted an after-the-fact permit application for processing by the Tree Commission.

Photos from the back yard prior to demolition and pool work (submitted by applicant/agents):

Mango tree



Sugar Apple

Avocado

Sugar Apple



Mango

An inspection of the site determined the following:

Tree Species: Sugar Apple tree (*Annona squamosa*)

Diameter: 10.8" (multiple trunks)







Violation Map

[illegible]

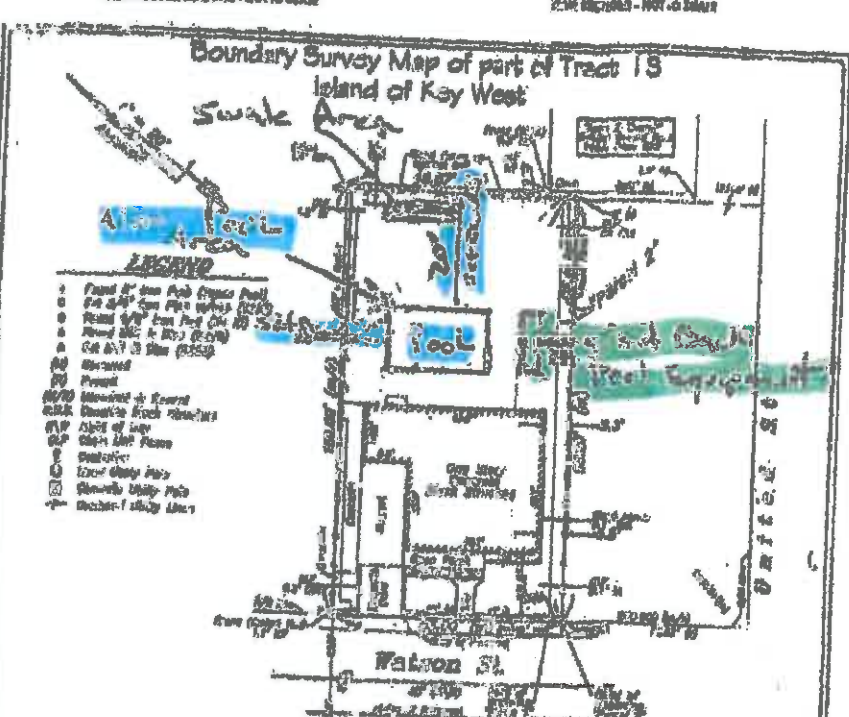
2010 RELEASE UNDER E.O. 14176

Hand-drawn diagram of a rectangular structure, possibly a wall or foundation. The diagram includes the following labels:

- Top: HAND POUNDED PLASTER ON INSIDE WALLS
- Left: WOODEN
- Right: WOODEN PLASTER
- Bottom: WOODEN
- Bottom right: WOODEN BOARD - NORTH SIDE

1. THE VARIOUS TYPES OF ROADS BUILT IN A RELATIVELY SHORT PERIOD OF TIME IN THE NORTH AND NORTH WEST PROVINCES OF SOUTHERN AFRICA.
2. THE EFFECTS OF THE ROAD BUILDING PROGRAM ON THE ECONOMY OF SOUTHERN AFRICA.
3. THE EFFECTS OF THE ROAD BUILDING PROGRAM ON THE SOCIETY OF SOUTHERN AFRICA.
4. THE EFFECTS OF THE ROAD BUILDING PROGRAM ON THE CULTURE OF SOUTHERN AFRICA.

WASH DC: 1964 - NORTH HAVEN



1. The total population of the United States is approximately 200 million. The Census Bureau has not conducted a full count of the population since 1980. The population of the United States is growing at a rate of about 1% per year. The population of the United States is growing at a rate of about 1% per year.

1. The above is a true and correct copy of the original and the original is now in the possession of the undersigned.
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9. The above is a true and correct copy of the original and the original is now in the possession of the undersigned.
10. The above is a true and correct copy of the original and the original is now in the possession of the undersigned.

[illegible][illegible]

J. LYNN O'FLYNN, Inc.
 1700 N. 1st St.
 Milwaukee, Wis.
 1700 N. 1st St.
 Milwaukee, Wis.

NOT TO SCALE

A.B.C.
 APPX
 CL
 CONC.
 ELEV.
 EQ.
 F.F.E.
 H.E.
 MAX.
 MIN.
 O.C.
 P.L.
 FL.
 TP.
 W.W./W.

ABOVE EARTH G.
 APPROXIMATELY
 CENTER LINE
 CONCRETE
 ELEVATION
 EQUAL
 HIGH A.DOR.ELEV.
 HEIGHT
 MAXIMUM
 MINIMUM
 ON CENTER
 PROPOSED LINE
 PRESERVE TREATED
 TYPICAL
 WELDED WIRE MESH

EXISTING OPEN SPACE AREA BREAKDOWN (IN SQUARE FEET)	
LOT AREA	8,236 SF
BUILDINGS & STRUCTURES	1,079 SF
HARDWARE (CONC. SLABS, PAVING, ETC.)	167 SF
POOL & SPA	8 SF
WOOD DECKING	8 SF
NON OPEN SPACE (TOTAL)	2,342 SF
EXISTING OPEN SPACE (TOTAL - 58% MIN)	5,894 SF
PROPOSED OPEN SPACE AREA BREAKDOWN (IN SQUARE FEET)	
LOT AREA	8,236 SF
BUILDINGS & STRUCTURES	1,079 SF
HARDWARE (CONC. SLABS, PAVING, ETC.)	167 SF
POOL & SPA	8 SF
WOOD DECKING	8 SF
NON OPEN SPACE (TOTAL)	2,342 SF
PROPOSED OPEN SPACE (TOTAL - 58% MIN)	5,894 SF
W/ REDUCED	5,159 SF

ESTIMATING PATENTIOUS AREA BREAKDOWN (IN SQUARE FEET)	
LOT AREA	5,328 SF
BUILDINGS & STRUCTURES	2,079 SF
HARDSCAPE (CONC. SLAB, PAVING, ETC.)	1,577 SF
POOL & SPA	0 SF
TOTAL PATENTIOUS AREA (TOTAL - OTHERS)	8,984 SF
ESTIMATING PATENTIOUS AREA BREAKDOWN (IN SQUARE FEET)	
LOT AREA	5,328 SF
BUILDINGS & STRUCTURES	2,079 SF
HARDSCAPE (CONC. SLAB, PAVING, ETC.)	1,577 SF
POOL	210 SF
TOTAL PATENTIOUS AREA (TOTAL - OTHERS)	9,194 SF
NET ACREAGE	0.208 AC

LOT AREA	8,228 SF
RAINFALL	1.00"
NET IMPERVIOUS AREA EXCLUDING (IN SQUARE FEET)	
BUILDINGS & STRUCTURES	315 SF
POOL	210 SF
PASSENGER (CONC. AND PAVING, ETC.)	931 SF
TOTAL NET IMPERVIOUS AREA	1,456 SF
CRUDIC FEET REQUIRED = (IMPERVIOUS AREA X RAINFALL) / 12	121 SF
CRUDIC FEET SUPPLIED = (POTENTIATION - LAND DISPLACEMENT X AVG DEPTH IN FEET)	158 SF
EXCESS SQUARE FEET OF DETENTION AREA	37 SF
DISPLACEMENT OF TREES AND PALMS (IN)	0 SF
DISPLACEMENT OF SHRUBS AND GROUNDCOVERS	0
EXCESS SQUARE FEET OF DETENTION AREA	37 SF
AVERAGE DEPTH OF DETENTION AREA	0.5 FEET = 6"



CRAIG REYNOLDS
landscape architecture

craigreynolds.net 305.292.7243
517 postal blvd. j. 2nd fl. 2nd
Sav. Wash. Florida 32809

Karen DeMaria

From: craig@craigreynolds.net
Sent: Thursday, February 18, 2016 5:57 PM
To: Karen DeMaria
Cc: Alex Thommes; Julie Levinson
Subject: Re: 1209 Watson

Karen,

I will represent the owner at the hearing. Tamara submitted the forms with the signed and notarized permission form.

I'm out of town today and tomorrow, so Alex in my office send you the plan showing the new pool location with the existing Avocado and Mango. Alex, thank you. I wasn't able to login to the server from here.

Thank you,

Craig

Karen DeMaria wrote:

I will process an Administrative Hearing for March 8. Will the owner be able to attend the hearing? Or will you be attending on their behalf?

I still need a survey/map of the property showing the new location of the pool and the two remaining trees, for the file. Once I receive that survey/map I will release the file for processing (HARC/Building).

Sincerely,

Karen

From: Craig Reynolds [<mailto:craig@craigreynolds.net>]
Sent: Wednesday, February 17, 2016 4:46 PM
To: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>
Subject: Re: 1209 Watson

Karen,

It was someone involved with demo when the buildings were coming down and the hole being dug. The thing is they were told there was a permit, mistakenly, so do they really need to be dragged into this? Craig

Karen DeMaria

February 17, 2016 at 3:41 PM

Thank you,

Craig

CR landscape architecture
Craig Reynolds, RLA
517 Duval Street Suite 204
Key West, FL 33040

305.292.7243
www.craigreynolds.net

Craig Reynolds

February 15, 2016 at 3:13 PM

Hi Karen,

Now that we've filed the appropriate forms and are on the docket for the March 8th meeting, are you OK with releasing the pool permit at 1209 Watson?

Thank you,

Craig

CR landscape architecture
Craig Reynolds, RLA
517 Duval Street Suite 204
Key West, FL 33040

305.292.7243
www.craigreynolds.net

Karen DeMaria

From: Karen DeMaria
Sent: Thursday, February 04, 2016 3:36 PM
To: 'Craig Reynolds'
Subject: RE: 1209 Watson Street pool

After the-fact permits can only be approved by Administrative Hearing in front of the Tree Commission. I will be issuing a notice against the company that removed the tree. Who was that? And the property owner will be cited because it is their property.

What is left of the tree needs to remain on the property so I can see it. I also need to inspect the property myself sometime next week.

The contractor should have placed protective fencing around all the tree prior to work.

Sincerely,

Karen

From: Craig Reynolds [mailto:craig@craigreynolds.net]
Sent: Thursday, February 04, 2016 3:20 PM
To: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>
Subject: Re: 1209 Watson Street pool

Hi Karen,

Well, I stopped by this afternoon to measure and the attached photo is what I found. Apparently the demo contractor took it out to get room to get in there with his machine and maneuver in taking out a couple of old buildings in the back yard -- the ones you see in the photos I previously sent.

What do we do now? An after the fact permit?

Craig

Karen DeMaria

February 4, 2016 at 12:58 PM

Sorry about the e-mail, I've been in a training class all morning. Do I still need to call you?

Sincerely,

Karen

From: Karen DeMaria
Sent: Thursday, February 04, 2016 12:01 PM
To: 'Craig Reynolds' <craig@craigreynolds.net>
Subject: RE: 1209 Watson Street pool



Karen DeMaria

From: Craig Reynolds <craig@craigreynolds.net>
Sent: Thursday, February 04, 2016 10:38 AM
To: Karen DeMaria
Subject: Re: 1209 Watson Street pool

Karen,

The Avocado is to be removed, but probably not for a year or two when they do the accessory building, hence the confusion from the plan to my email.

The Sugar Apple is all sucker growth, in my opinion, as the main trunk was broken off what appears to be years ago and is all rotten. Does something in that condition require TC approval? It is around the 4" mark, but I will measure today. Is that 4" measurement at 4'-0" above grade?

If we need to do the permits then we'll do what needs to be done.

Thanks,

Craig

2'10" circ

Karen DeMaria

February 4, 2016 at 10:06 AM

Craig:

The plans you just sent show the avocado remaining. Is it to remain or be removed. The sugar apple may need a permit to be removed. What is the diameter of the tree? From the photo it appears the total diameter of all the trunks is over 4" diameter, therefore, a permit will be required from the Tree Commission to remove the tree. I can not forward the application through the process until we know that a tree removal permit has been issued for the work.

Sincerely,

Karen

From: Craig Reynolds [<mailto:craig@craigreynolds.net>]
Sent: Thursday, February 04, 2016 9:05 AM
To: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>
Cc: Alex Thommes <salex@craigreynolds.net>; file@craigreynolds.net
Subject: Re: 1209 Watson Street pool

Hi Karen,

There are three trees in the back yard of 1209 Watson: Mango to remain, Avocado to remove and Sugar Apple to remove. Two photos are attached to show them. And the attached plan shows their locations as well.

Thank you,

Craig

CR landscape architecture

Craig Reynolds, RLA
517 Duval Street Suite 204
Key West, FL 33040

305.292.7243
www.craigreynolds.net

Craig Reynolds

February 4, 2016 at 9:04 AM

Hi Karen,

There are three trees in the back yard of 1209 Watson: Mango to remain, Avocado to remove and Sugar Apple to remove. Two photos are attached to show them. And the attached plan shows their locations as well.

Thank you,

Craig

Karen DeMaria

February 3, 2016 at 3:05 PM

Craig:

I am reviewing some plans for the building department for the revised pool location at 1209 Watson Street. I am aware that there are a couple of trees in the backyard. What I do not know is their species and location in relation to the proposed pool and equipment, location. Can you please note what trees are in the backyard, their location and species please.

Sincerely,

Karen

Karen DeMaria
Urban Forestry Manager/Tree Commission
Certified Arborist
305-809-3768

Application

ATF



Tree Permit Application

Please Clearly Print All Information unless indicated otherwise.

Date Feb 10, 2016

Tree Address 1209 Watson
Cross/Corner Street Watson & Catherine
List Tree Name(s) and Quantity Sugar Apple 1
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 Demolition contractor accidentally removed sugar apple tree. New planting on-site with following construction, include replacement natives.

Property Owner Name William Levinson
Property Owner eMail Address wlevinson@gmail.com
Property Owner Mailing Address 1209 Watson
Property Owner Mailing City Key West State FL Zip 33040
Property Owner Phone Number (732) 261-1431
Property Owner Signature [Signature]

Representative Name Craig Reynolds & or Alex Thommes
Representative eMail Address craig@cidareynolds alex@cidareynolds.net
Representative Mailing Address 517 Duval Street Suite 204
Representative Mailing City Key West State FL Zip 33040
Representative Phone Number (305) 292-7243

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

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: Feb 10, 2016

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 1209 Watson

Property Owner Name William Levinson

Property Owner eMail Address wlevinson@gmail.com

Property Owner Mailing Address 1209 Watson

Property Owner Mailing City Key West State FL Zip 33040

Property Owner Phone Number (732) 261-1431

Property Owner Signature [Signature]

Representative Name Craig Reynolds or Alex Thammes

Representative eMail Address Craig@craigreynolds.net alex@alexthammes.net

Representative Mailing Address 517 Duval St. Suite 201

Representative Mailing City Key West State FL Zip 33040

Representative Phone Number (305) 292-7243

I WILLIAM LEVINSON, 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 10 day February.

By (Print name of Affiant) William Levinson who is personally known to me or has produced [Signature] as identification and who did take an oath.

NOTARY PUBLIC

Sign Name: M. Holly Booton

Print Name: M. Holly Booton

My Commission Expires: 12/26/2017

Notary Public - State of Florida (seal)



M. HOLLY BOOTON
MY COMMISSION # FF 070470
EXPIRES: December 26, 2017
Bonded Thru Budget Notary Services



Tree Representation Authorization

Date: Feb 10 2016

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 1209 Watson

Property Owner Name William Levinson
Property Owner eMail Address wlevinson@gmail.com
Property Owner Mailing Address 1209 Watson
Property Owner Mailing City Key West State FL Zip 33040
Property Owner Phone Number (732) 261-1431
Property Owner Signature [Signature]

Representative Name Craig Reynolds & or Alex Thomas
Representative eMail Address craig@craigreynolds.net or alex@craigreynolds.net
Representative Mailing Address 517 Duval St Suite 204
Representative Mailing City Key West State FL Zip 33040
Representative Phone Number (305) 292-7243

I William Levinson, 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 _____ day _____.

By (Print name of Affiant) William Levinson who is personally known to me or has produced _____ as identification and who did take an oath.

NOTARY PUBLIC

Sign Name: M. Holly Booton

Notary Public - State of Florida (seal)

Print Name: M. Holly Booton

My Commission Expires: 12/26/17



M. HOLLY BOOTON
MY COMMISSION # FF 070470
EXPIRES: December 26, 2017
Bonded Thru Budget Notary Services



Scott P. Russell, CFA
Property Appraiser
Monroe County, Florida

Key West (305) 292-3420
Marathon (305) 289-2550
Plantation Key (305) 852-7130

Property Record Card - Maps are now launching the new map application version.

Alternate Key: 1034509 Parcel ID: 00033600-000000

Ownership Details

Mailing Address:

LEVINSON WILLIAM AND JULIE
235 N MAIN ST
NEW HOPE, PA 18938-1318

Property Details

PC Code: 01 - SINGLE FAMILY

Millage Group: 10KW

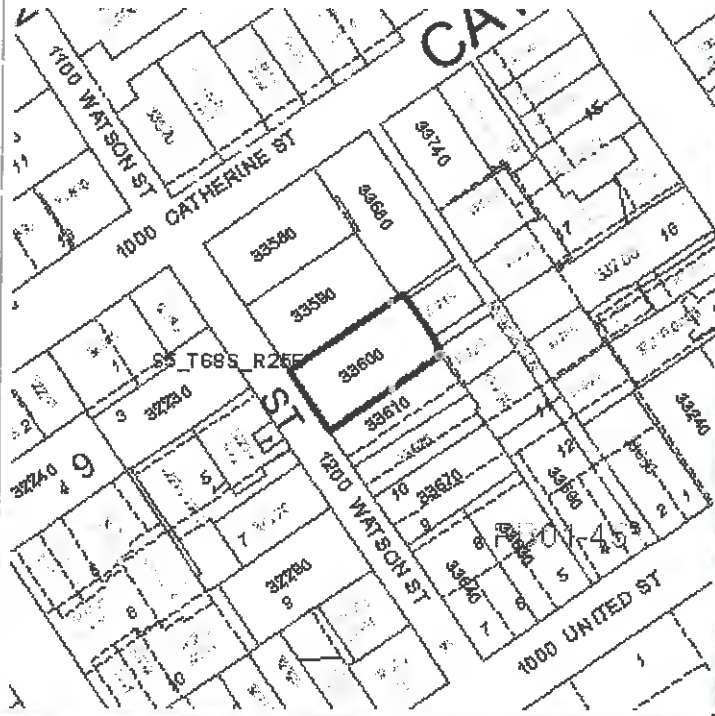
Affordable Housing: No

**Section-Township-
Range:** 05-68-25

Property Location: 1209 WATSON ST KEY WEST

Legal Description: KW GWYNN SUB PT OF TR 13 L-627 E4-549 D3-92 OR97-108/10 OR102-63/68 OR1465-2437/38L/E OR2420-2055D/C
OR2731-1921D/C OR2731-1922/24

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
010D - RESIDENTIAL DRY	53	100	5,295.00 SF

Building Summary

Number of Buildings: 1
 Number of Commercial Buildings: 0
 Total Living Area: 1278
 Year Built: 1958

Building 1 Details

Building Type R1
 Effective Age 50
 Year Built 1958
 Functional Obs 0

Condition A
 Perimeter 152
 Special Arch 0
 Economic Obs 0

Quality Grade 500
 Depreciation % 49
 Gmd Floor Area 1,278

Inclusions: R1 includes 1 3-fixture bath and 1 kitchen.

Roof Type GABLE/HIP

Heat 1 NONE

Heat Src 1 NONE

Roof Cover METAL

Heat 2 NONE

Heat Src 2 NONE

Foundation CONCR FTR

Bedrooms 2

Extra Features:

2 Fix Bath 0
 3 Fix Bath 0
 4 Fix Bath 0
 5 Fix Bath 0
 6 Fix Bath 0
 7 Fix Bath 0
 Extra Fix 0

Vacuum 0
 Garbage Disposal 0
 Compactor 0
 Security 0
 Intercom 0
 Fireplaces 0
 Dishwasher 0