

# STAFF REPORT

DATE: June 25, 2015

RE: **704 Eaton Street (permit application # T15-7464)**

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

An application was received for the removal **of (1) Spanish Lime tree**. A site inspection was done on June 23, 2015 and documented the following:

Tree Species: Spanish Lime (*Melicoccus bijugatus*)



























Diameter: 57.6"

Location: 70% (growing in corner back yard-canopy involved with several properties)

Species: 100% (on protected tree list)

Condition: 25% (very poor, 4 trunks, lots of decay in trunks and canopy. Looks like tree hit by lightning in the past. Heavy maintenance trim would leave a structural unsafe tree)

Total Average Value = 65%

**Value x Diameter = 37.4 replacement caliper inches**

**Recommend approval of the removal of (1) Spanish Lime tree at 704 Eaton Street to be replaced with 37.4 caliper inches of FL#1 dicot trees from approved list.**



**Photo below taken one year ago of canopy of Spanish lime tree:**

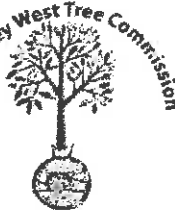




# Application



6-19-25  
need access



Trim - 7465  
Loyal

remove  
Loyal

7376

Remove  
Sp. Lime - 7464

## Tree Permit Application

Date: 6/9/15

Please Clearly Print All Information unless indicated otherwise.

**Tree Address** 704 Eaton St.  
**Cross/Corner Street** Eaton and Elizabeth  
**List Tree Name(s) and Quantity** Spanish lime (1) and Royal Poinciana (2)  
**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

**Other/Explain** ① Royal Poinciana at front of property is in overhanging wires/utilities and poses danger for pedestrians/cars

**Reason for Request** ② Spanish lime at rear property has extensive damage/decay  
③ Royal Poinciana on property line has extensive trunk decay

**Property Owner Name** Kelly Miller for request NC LLC  
**Property Owner eMail Address** kellymiller@nc-llc.com  
**Property Owner Mailing Address** Po Box 330  
**Property Owner Mailing City** Mooresville **State** NC **Zip** 28115  
**Property Owner Phone Number** (704) 799-4800  
**Property Owner Signature** Kelly G. Miller, Key West NC LLC

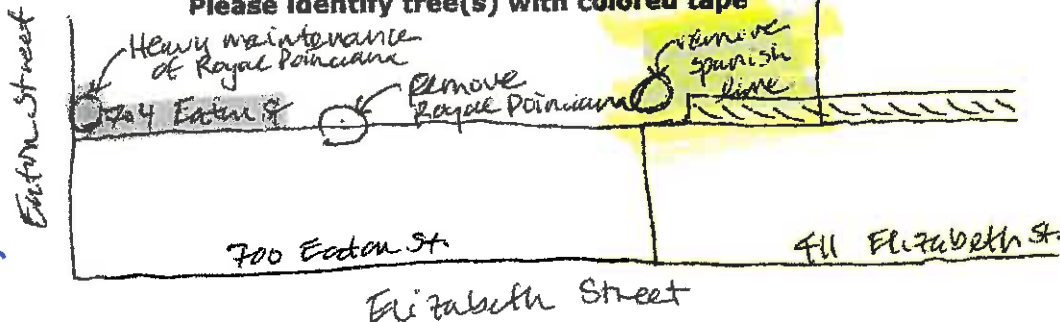
**Representative Name** Michael Ingram or Nicholas Downs  
**Representative eMail Address** mingram@k2mdesign.com / acaringtreecompany@gmail.com  
**Representative Mailing Address** 1001 Whitehead, NW, FL 33040 / 19264 Arista Trail, Sugarloaf Key  
**Representative Mailing City** State FL Zip 33042  
**Representative Phone Number** (305) 320-7011

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: 6.11.15

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 704 Eaton St.

Property Owner Name Key West NC, LLC  
Property Owner eMail Address Kelley@dalejr.com  
Property Owner Mailing Address P.O. Box 330  
Property Owner Mailing City Marietta State NC Zip 28115  
Property Owner Phone Number (704) 799-4838  
Property Owner Signature [Signature]

Representative Name Michael Ingram or Nicholas Davis  
Representative eMail Address mingram@k2mdesign.com / acaresingtreecompany@gmail.com  
Representative Mailing Address 1001 Whikhead St, NW, FL 33040 / 19264 Acosta Trail, Sugarland  
Representative Mailing City Key, FL 33042 State FL Zip 33042  
Representative Phone Number (305) 320-2011 / (305) 432-1764

I Kelley Miller, mgr., 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 if there is any questions or need access to my property.

Property Owner Signature

[Signature]

The forgoing instrument was acknowledged before me on this 11 day June.

By (Print name of Affiant) Kelley Miller who is personally known to me or has produced \_\_\_\_\_ as Identification and who did take an oath.

NOTARY PUBLIC

Sign Name:

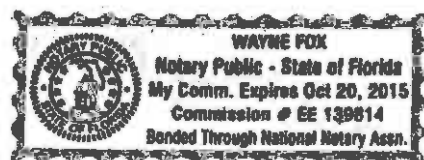
Print Name:

My Commission Expires:

Wayne Fox

10/20/15

Notary Public - State of Florida (seal)





Prepared by and Return to:  
Mendy Walden, an employee of  
First International Title, Inc.  
3132 Northside Drive  
Suite 101, Bldg C  
Key West, FL 33040

File No.: 65416-13

## **WARRANTY DEED**

This indenture made on June 4th, 2015, by

**Janice L. Isherwood, as Successor Trustee of the Theodore Ness Living Trust and an unmarried individual**

whose address is: 523 Elizabeth Street, Key West, FL 33040  
hereinafter called the "grantor",

to **Key West NC, LLC a North Carolina Limited Liability Company**

whose address is: P.O. Box 330 Mooresville, NC 28115

hereinafter called the "grantee":

(Which terms "Grantor" and "Grantee shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

**Witnesseth**, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **Monroe County, Florida**, to-wit:

On the Island of Key West, and known on William A. Whitehead's map of said Island delineated in February, A.D. 1829 as a part of Lot Three (3) of Square Thirty-five (35). Commencing at a point on Eaton Street Fifty (50) feet and Three inches from Elizabeth Street, and runs on Eaton Street Northeasterly Fifty (50) feet and Three (3) inches; thence runs in a Southeasterly direction One Hundred Sixteen (116) feet; thence runs in a Southwesterly direction Fifty (50) feet and Three (3) inches; thence runs in a Northwesterly direction One Hundred and Sixteen (116) feet out to Eaton Street the Point of Beginning.

Parcel Identification Number: RE# 00006110-000000 / AK#1006335

**Subject to** all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

**To Have and to Hold**, the same in fee simple forever.



And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31st of 2014.

In Witness Whereof, the grantor has hereunto set their hand(s) and seal(s) the day and year first above written.

Theodore Ness Living Trust

Janice L. Isherwood  
Janice L. Isherwood, Individually

Janice L. Isherwood Trustee  
By Janice L. Isherwood, Successor Trustee

**Signed, sealed and delivered in our presence:**

Melinda A. Walden  
Witness Signature  
Print Name: Melinda A. Walden

Jonathan Meyers  
Witness Signature  
Print Name: Jonathan Meyers

State of FLORIDA

County of Monroe

The Foregoing Instrument Was Acknowledged before me on the 4 day of June, 2015, by Janice L. Isherwood, as Successor Trustee of the Theodore Ness Living Trust and an unmarried individual who is/are personally known to me or who has/have produced the following as identification: DRIVERS LICENSE.

My Commission expires:



Melinda A. Walden  
Notary Public  
Printed Name:

SEAL