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: Willliam 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





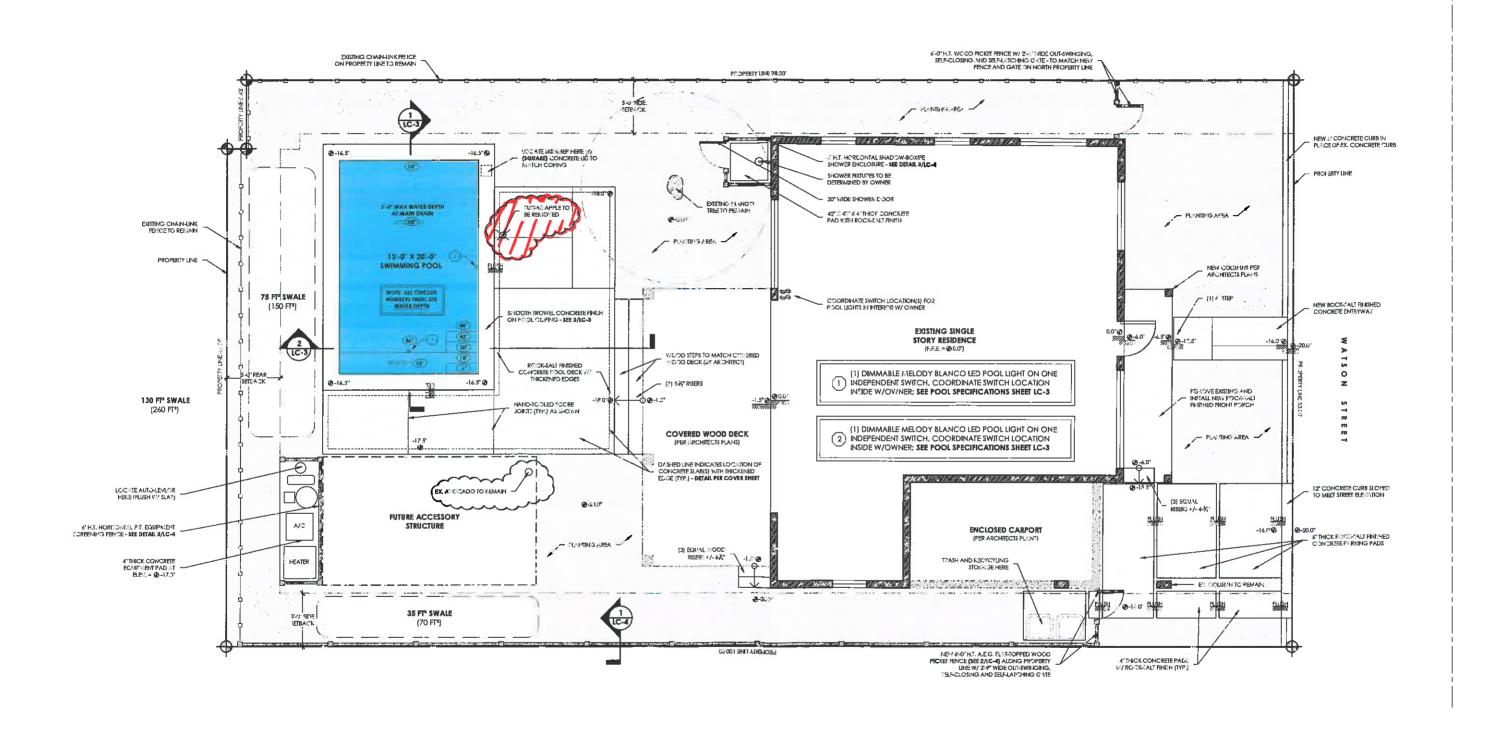
An inspection of the site determined the following: Tree Species: Sugar Apple tree (Annona squamosa) Diameter: 10.8" (multiple trunks)







Violation Map



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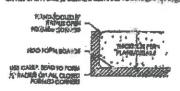
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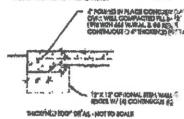
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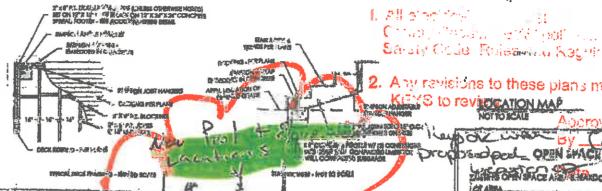
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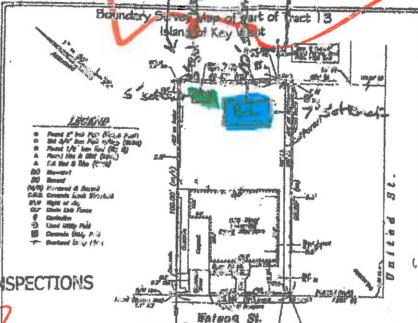
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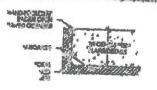
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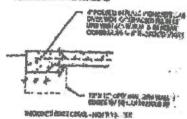
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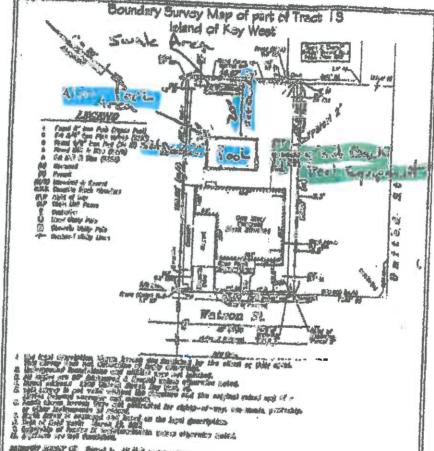
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CRAIG REYNOLDS landscape architecture

cralgreynolds.net 305.292.7243

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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 | 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

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 Duvai 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?

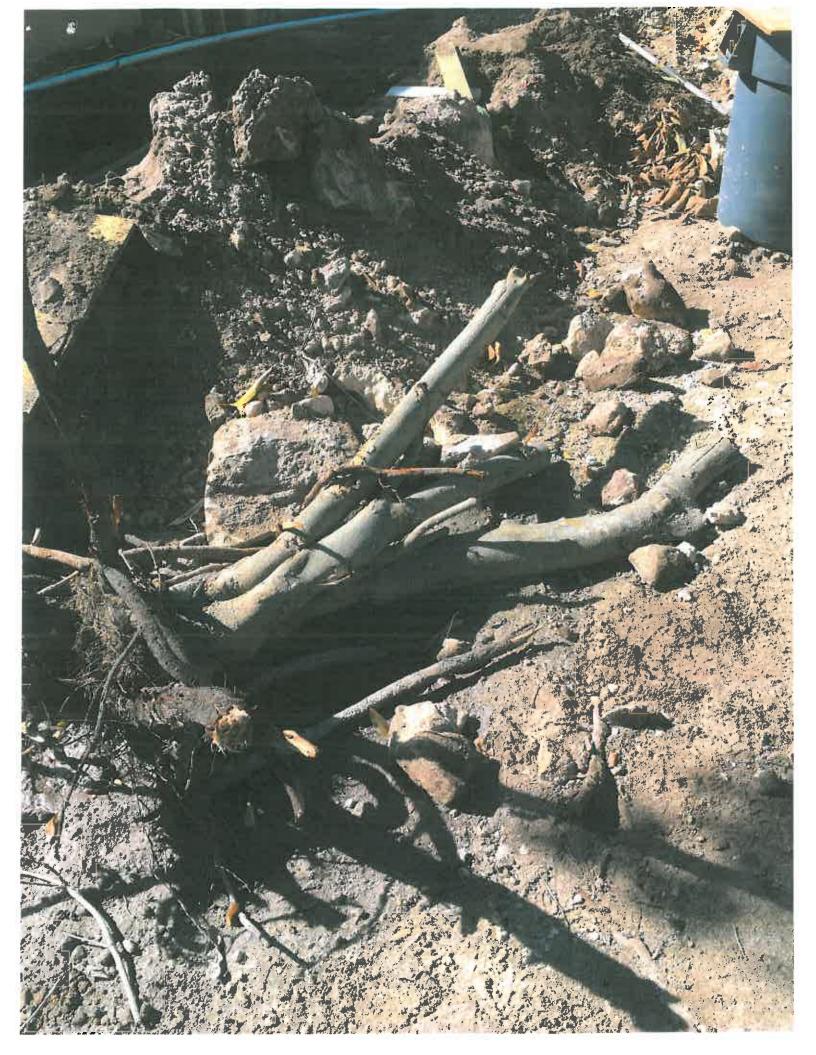
Sincerely,

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: Sent: Craig Reynolds < craig@craigreynolds.net> 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

Karen DeMaria

February 4, 2016 at 10:06 AM

210"014

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 <alex@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,

Craiq

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



Please Clearly Print All Information unless indicated otherwise.

Tree Address 1009 Watson
Cross/Corner Street Watson & Cotty Cru
List Tree Name(s) and Quantity Sugar 12004
Species Type(s) check all that apply () Palm () Flowering () Fruit () Shade () Unsure
Reason(s) for Application:
() REMOVE () Tree Health () Safety (V) Other/Explain below
() TRANSPLANT () New Location () Same Property () Other/Explain below
() HEAVY MAINTENANCE () Branch Removal () Crown Cleaning/Thinning () Crown Reduction
Additional Demolition contractor accidentally remaked
Information successful tree. Mans Planting on- site
and Explanation will following contruction include
reparement natives.
Property Owner Name William Levinson
Property Owner eMail Address when some and com
Property Owner Mailing Address 109 1009
Property Owner Mailing City her west State FL Zip 33040
Property Owner Phone Number (132) 864-1431
Property Owner Signature
Representative Name Crash heyrold do Alex Trammes
Representative eMail Address Clare Clare Charles alexanders
Representative Mailing Address 517 Durat Street Soite 204
Representative Mailing City Lay West State L Zip 33040
Representative Phone Number (305) 393 - 7343
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.

Updated: 02/22/2014 Page 1



Tree Representation Authorization

	Date: Felo 10, 2016
discussed is necessary in order to Tree Representation Authorization	on meeting on the date when your request will be expedite the resolution of your application. This form must accompany the application if the property someone else pick up the Tree Permit once issued.
Please Clearly Print Al	Information unless indicated otherwise.
Tree Address	1209 Watson
Representative Mailing Address	Craigo chagleynoldo rut dupckigleyndds ne 517 Dwel St. Surk Joh Kay Lieb State FL Zip 33040
to represent me in the matter of obta	, hearby authorize the above listed agent(s) aining a Tree Permit from the City of Key West for my ted. You may contact me at the telephone listed above to my property.
Property Owner Signature	mh
The forgoing instrument was acknowle	dged before me on this 10 day February
By (Print name of Affiant) William I produced	who is personally known to me or has as identification and who did take an oath.
NOTARY PUBLIC Sign Name: M. Holy Bootuy Print Name: M. Holy Boo	Notary Public - State of Florida (seal)

M. HOLLY BOOTON

EXPIRES: December 26, 2017 Banded Thru Budget Notary Services

Updated: 02/22/2014

My Commission Expires: 12 26



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

Fiedse Clearly Fillit A	an information unless malcated otherwise.
Tree Address	1209 Watson
Property Owner Name Property Owner eMail Address Property Owner Mailing Address Property Owner Mailing City Property Owner Phone Number Property Owner Signature	William Levinson when son @ gmail com Viry West State FL Zip 33040 (732) 261-1431
Representative Name Representative eMail Address Representative Mailing Address Representative Mailing City Representative Phone Number	Craig They mits of all the Thomas of Craig a craig rey motor of a line octain rey motor of the STA Dubb St State FL Zip 33740 (305) 292 - 7243
to represent me in the matter of obter property at the tree address above like is there is any questions or need access. Property Owner Signature	, hearby authorize the above listed agent(s) faining a Tree Permit from the City of Key West for my sted. You may contact me at the telephone listed above ass to my property.
The forgoing instrument was acknowled	edged before me on this day
By (Print name of Affiant) William L produced	who is personally known to me or has as identification and who did take an oath.
NOTARY PUBLIC Sign Name: M. Holly Box Print Name: M. Holly Box	Notary Public - State of Florida (seal)
My Commission Expires: 12/26/17 Updated: 02/22/2014	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



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 **Grnd Floor Area 1,278**

Inclusions:

R1 includes 1 3-fixture bath and 1 kitchen.

Roof Type GABLE/HIP

Roof Cover METAL Heat 2 NONE

Heat 1 NONE Heat Src 1 NONE

Heat Src 2 NONE

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

Foundation CONCR FTR Bedrooms 2

Vacuum

Garbage Disposal

Compactor

Security 0

Intercom 0

Fireplaces 0

Dishwasher