

# STAFF REPORT

DATE: June 6, 2016

RE: **1000 17<sup>th</sup> Street (Administrative Hearing)**

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

On August 14, 2015, a complaint was received regarding the removal of a Frangipani tree at 1000 17<sup>th</sup> Street. Research and a site inspection indicated that a frangipani tree greater than 4 inches diameter had been removed and that a tree removal permit had not been issued for the property. Review of Monroe County property appraiser's records indicated that the property owner was from out of town, therefore, a warning letter was sent requesting a discussion of the issue.

On September 16, 2015, a letter was received from Rabbi Wolkenfeld representing the property owners, Child Life Society. An e-mail was then sent to Rabbi Wolkenfeld requesting additional information. No response was received.

On May 11, 2016, an application was submitted to demolish an existing pool and construct a new pool with decking at 1000 17<sup>th</sup> Street. This application was processed through the simultaneous plan review. The Urban Forestry Manager rejected processing of the application due to the unauthorized removal of the frangipani tree that had not yet been resolved. Rabbi Wolkenfeld initiated contact with the Urban Forestry Manager and agreed to an appearance at the Tree Commission meeting to resolve the tree removal issue.

At the initial inspection of the property in August 2015, all that remained of the frangipani tree was a stump that was covered by dirt and a garbage bag. Information regarding the frangipani tree was collected through Google earth street view photos dated 2011 and show a large, multi-trunked tree, with an estimate diameter of 18-20 inches.

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Chaim A. Wolkenfeld  
Child Life Society  
1347 43<sup>rd</sup> Street  
Brooklyn, NY 11219

2. Article Number  
(Transfer from service label)

7007 3020 0000 5347 5135

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☒ Agent  
*Chaim A. Wolkenfeld* ☐ Addressee

B. Received by (Printed Name) *Chaim A. Wolkenfeld* C. Date of Delivery *5/20*

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

For more information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Planned

Postage	\$ 46
Certified Fee	330
Return Receipt Fee (Endorsement Required)	270
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.46

RECEIVED MAY 17 2016

Sent To  
Chaim A. Wolkenfeld  
Child Life Society  
1347 43<sup>rd</sup> Street  
Brooklyn, NY 11219

PS Form 3811, August 2001

## Karen DeMaria

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**From:** Child Life Society <info@childlifesociety.org>  
**Sent:** Friday, May 13, 2016 5:13 PM  
**To:** Karen DeMaria  
**Subject:** Re: 1000 17th St

OK, This will be taken care on the date

**From:** Karen DeMaria  
**Sent:** Friday, May 13, 2016 5:04 PM  
**To:** Child Life Society  
**Cc:** South Wind Pools  
**Subject:** RE: 1000 17th St

Sir:

It was nice talking with you today. Attached is a copy of the hearing notice that will be mailed out on Monday. Please respond that you will have someone in attendance at the meeting and that you accept the fact that the tree was removed without benefit of a permit. With your good faith e-mail response, I will release the hold on the pool permit application.

Sincerely,

Karen

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**From:** Child Life Society [mailto:info@childlifesociety.org]  
**Sent:** Friday, May 13, 2016 3:53 PM  
**To:** Karen DeMaria <kdemaria@cityofkeywest-fl.gov>  
**Subject:** 1000 17th St

Karen,

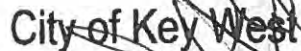
I would like to talk with you. Please could you call me on my cell 719 288 9547.

Have a wonderful day.

Chaim A. Wolkenfeld  
Child Life Society  
1347 43rd St  
Brooklyn, NY 11219  
Tel: 718 853 7123  
Fax: 718 853 7523  
Cel: 718 288 9547

Food

Key West  
LER AVENUE  
FLORIDA 33040  
809.3956



Phone: 305.809.3956

HARC PERMIT NUMBER		BUILDING PERMIT NUMBER 16-1892		INITIAL DATE 11/11/16 Sue	
FLOODPLAIN PERMIT				REVISION #	
FLOOD ZONE	PANEL #	ELEV. L. FL.	SUBSTANTIAL IMPROVEMENT ____ YES ____ NO ____ %		

1000 17<sup>th</sup> Street

00057550-000000

Child Life Society, Inc.

PHONE NUMBER (718) 288-9547

1347 43rd St

EMAIL
-------

Brooklyn NY 11219

South Wind Pools

PHONE NUMBER (305) 294-7665

Bob or Heather

EMAIL Southwindpoets@gmail.com

Meridian Engineering

PHONE NUMBER (305) 293-3263

201 Front Street, Suite 200

EMAIL	
-------	--

KW FL 33040

(SEE PART C FOR HARC APPLICATION.)

41,000<sup>00</sup>

38102/13889 OK

PROJECT TYPE: ☒ ONE OR TWO FAMILY ☐ MULTI-FAMILY ☐ COMMERCIAL ☐ NEW ☐ REMODEL  
☐ CHANGE OF USE / OCCUPANCY ☐ ADDITION ☐ SIGNAGE ☐ WITHIN FLOOD ZONE \_\_\_\_\_  
☒ DEMOLITION ☒ SITE WORK ☐ INTERIOR ☒ EXTERIOR ☐ AFTER-THE-FACT

DETAILED PROJECT DESCRIPTION INCLUDING QUANTITIES, SQUARE FOOTAGE ETC.,  
Demolish & dispose of existing fiberglass pool.  
Construct new inground, concrete pool 10' x 22'

Pool decking 300 sq concrete w/ travertine taping/pavers

+ top existing deck w/ travertine pavers. Pool Safety Net, Heater, Salt System

I/VE OBTAINED ALL NECESSARY APPROVALS FROM ASSOCIATIONS, GOV'T AGENCIES AND OTHER PARTIES AS APPLICABLE TO COMPLETE THE DESCRIBED PROJECT: OWNER PRINT NAME: _____		QUALIFIER PRINT NAME: <u>Robert E Sunderman</u>	
OWNER SIGNATURE: _____		QUALIFIER SIGNATURE: <u>[Signature]</u>	
Notary Signature as to owner: _____		Notary Signature as to qualifier: <u>[Signature]</u>	
STATE OF FLORIDA; COUNTY OF MONROE, SWORN TO AND SCRIBED BEFORE ME THIS <u>20</u> DAY OF <u>January</u> , 20 <u>16</u>		STATE OF FLORIDA; COUNTY OF MONROE, SWORN TO AND SCRIBED BEFORE ME THIS <u>12<sup>th</sup></u> DAY OF <u>January</u> , 20 <u>16</u>	
Personally known or produced _____ as identification.		Personally known or produced _____ as identification.	

Notary Signature as to owner:  
 Date: 5/11/16  
 State of FLORIDA COUNTY OF  
 THIS DAY OF  
 PT  
 Trans date: 5/11/16  
 Trans number:  
 \* FULTON  
 Personally known or produced  
 Time: 12:07:22  
 \$50.00  
 \$361624  
 \$50.00  
 The: BF  
 Receipt no: 16545

FLORIDA DEPARTMENT OF STATE  
DIVISION OF CORPORATIONS[Home](#)[Contact Us](#)[E-Filing Services](#)[Document Searches](#)[Forms](#)[Help](#)

## Detail by Entity Name

### Foreign Not For Profit Corporation

CHILD LIFE SOCIETY, INC.

### Filing Information

Document Number	F12000002521
FEI/EIN Number	11-3519275
Date Filed	06/15/2012
State	NY
Status	ACTIVE

### Principal Address

1347 43RD STREET  
BROOKLYN, NY 11219

### Mailing Address

1347 43RD STREET  
BROOKLYN, NY 11219

### Registered Agent Name & Address

WOLKENFELD, CHAIM A  
3720 Northside Drive  
Key West, FL 33040

Address Changed: 01/07/2014

### Officer/Director Detail

#### **Name & Address**

Title P

RUMPLER, MORECHAI  
1526 48TH STREET  
BROOKLYN, NY 11219

Title S

WOLKENFELD, CHAIM A  
1347 43RD STREET[Copyright](#) © and [Privacy Policies](#)

State of Florida, Department of State



MAY 11 2016

## NOTICE OF COMMENCEMENT

A RECORDED COPY MUST BE POSTED ON THE JOB SITE AT TIME OF FIRST INSPECTION

A Notice of Commencement must be filed with Clerk of Court, and recorded copy submitted to Building Department prior to first inspection, if the job valuation is \$2,500 or more (FS Section 713.02(5)). This does not apply to a direct contract to REPAIR or REPLACE an EXISTING heating or air-conditioning system in the an amount less than \$7,500 (FS Section 713.135(d)), or to any political subdivision, agency, or department of the state, a municipality, or other governmental entity (FS 713.01(23))

PERMIT NO. \_\_\_\_\_ TAX FOLIO NO. 00057550 - 000000

STATE OF FLORIDA, COUNTY OF MONROE

THE UNDERSIGNED hereby gives notice that improvement will be made to certain real property, and in accordance with Chapter 713, Florida Statutes, the following information is provided in this Notice of Commencement.

1. Legal description of property: Lot 17 Block 6 Bldg # — Unit # —  
Subdivision Pearlman Heights  
Street address if available: 1000 15th Street, NW

2. General description of improvement: Replace existing asphalt driveway with concrete per + deck + misc pop - related

3. a. Owner(s), or Lessee Contracted for Improvement Name: Child Life Society  
Address: 1347 43rd Street, Brooklyn NY 11219

b. Interest in property: Owner

c. Name and address of fee simple titleholder:  
(if different from Owner listed above):

4. a. Contractor's Name: South Wind Pools b. Phone number: 305-294-7665  
Address: P.O. Box 387, NW FL 33041

Space above reserved for use of recording office.

PREPARED BY (Name and Address):

South Wind Pools  
P.O. Box 387  
NW FL 33041

1000 15th St.

Receipt# 382158

AMY HEAVILIN  
CLERK OF COURT  
MONROE COUNTY  
500 WHITEHEAD STREET  
KEY WEST, FL  
33040

Doc#: 2073218 Pgs: 1  
Type: NOTICE OF COMMENCEMENT  
Book: 2793 Page: 1748  
RECORDING \$ 10.00

Doc#: 2073219 Pgs: 1  
Type: NOTICE OF COMMENCEMENT  
Book: 2793 Page: 1749  
RECORDING \$ 10.00

Doc#: 2073220 Pgs: 1  
Type: NOTICE OF COMMENCEMENT  
Book: 2793 Page: 1750  
RECORDING \$ 10.00

Total  
Check(s) Tendered \$ 30.00  
Balance \$ 30.00  
0.00

CHECK Number  
017694 \$ 30.00

Total Documents: 3  
Total Fees: 3

Client Name GENERAL PUBLIC  
Apr 26 2016 4:03:12 PM

Cashier: Krystal Martin

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true, to the best of my knowledge and belief.

Signature(s) of Owner(s) or Lessee, or Owner(s) or Lessee's Authorized Officer/Director/Partner/Manager

Print Name CHAIM WOLKENFELD

Title/Office DIRECTOR

Print Name

Title/Office

STATE OF New York COUNTY OF Kings

The foregoing instrument was acknowledged before me this 13th day of April 2016 By Chaim Wolkenfeld

☒ Individually, or ☐ as

☐ Personally known, or ☒ produced the following type of identification: NYS Driver's License

Signature of Notary Public: [Signature]

Print Name: Gregory C Johnson

(SEAL)

GREGORY C. JOHNSON  
Notary Public, State of New York  
No. 01J06099854  
Qualified in Kings County  
Commission Expires Oct. 2, 2019

# 1000 17<sup>th</sup> Street

Key West

Child Life Society Residence

## SITE DATA

Lot Size: 6,000 sf

## Impervious Ratio

Allowed (max): 50% (3,000 sf)  
Existing: 50.26% (3,016 sf)  
Proposed: 49.53% (2,972 sf)

## Open Space

Allowed (min): 35% (2,100 sf)  
Existing: 49.73% (2,984 sf)  
Proposed: 50.47% (3,028 sf)

Pool= 220 sf

Pool Equipment Pad= 16 sf

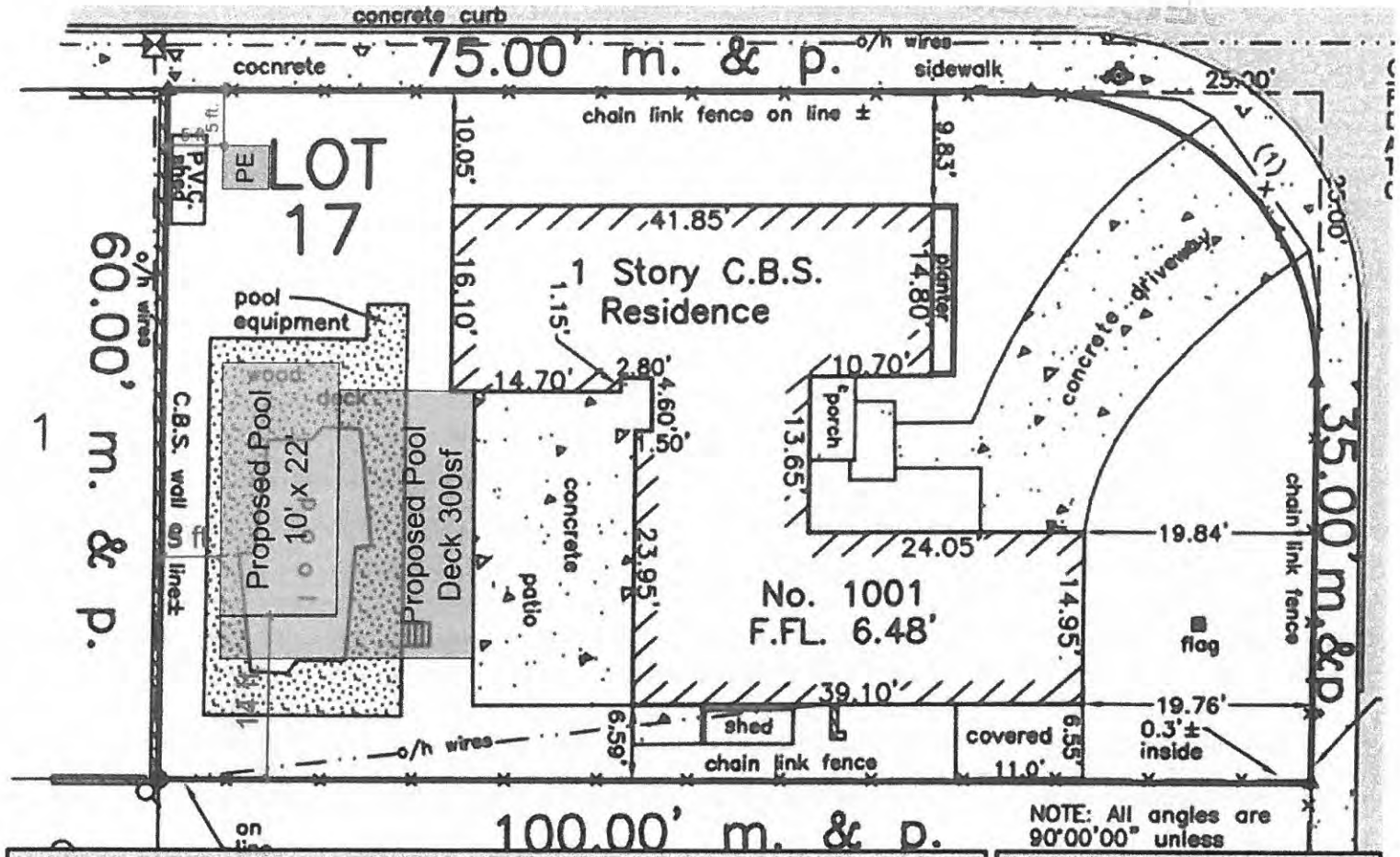
Pool Deck= 300 sf

Swale= NO SWALE.  
Impervious area reduced

## NOTE:

Impervious area reduced – No swale.  
Remove existing 580sf of pool and pool deck.

Demo of existing pool and pool deck is included on our permit app.



MAY 11 2015

## Karen DeMaria

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**From:** Karen DeMaria  
**Sent:** Tuesday, October 13, 2015 4:09 PM  
**To:** 'info@childlifesociety.org'  
**Subject:** House at 1000 17th St Key West-Unauthorized tree removal

Rabbi Wolkenfeld:

Thank you for the letter dated September 9, 2015 regarding my letter about the unauthorized removal of a regulated tree from the property located at 1000 17<sup>th</sup> St, Key West Florida. The City of Key West has a very strict Tree Ordinance. The tree you removed, a frangipani tree, required a removal permit from the Tree Commission. While I understand the removal was out of concern for the safety of children, other options might have been considered prior to the removal of the tree.

Normal procedure is when a regulated tree is cut down without benefit of a tree removal permit is to have an administrative hearing in front of the Tree Commission. The Tree Commission determines what penalties, if any, are placed on the property, the homeowner, or the person who did the work. The Tree Commission meets once a month. Penalties could include a fine, the planting of trees on or near the property, or a combination of both.

Who actually cut down the tree and removed the stump for you?

Do you have a local representative that will be able to represent your organization at a Tree Commission meeting?

Sincerely,

Karen

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



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NYU Langone Medical Center  
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Dir. of Pediatric Pulmonology Div  
Intern Dir, CF Center  
Children's Hospital of NY Presbyterian  
Dr. Hossein Sadeghi  
Ass. Professor of Pediatrics at  
Columbia University  
Director, CF Center  
Children's Hospital of NY Presbyterian

September 9, 2015

**Karen DeMaria**  
**Urban Forestry Manager**  
**Key West, FL 33041**

Dear Karen,

I received your letter dated August 26th regarding the removal of the tree at our new location 1000 17th St, Key West FL.

I feel sorry to hear that this was a violation. We had totally no intention to violate any law whatsoever.

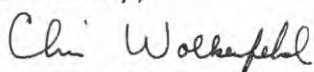
When we bought our first house at 3720 Northside Dr, we took out permits on even the few little things that we did with no problem.

The Child Life Society's "Lifeshine Respite program" caters families who raise children with the dreaded disease called Cystic Fibrosis. The idea to sponsor a therapeutic respite for the family in this environment and to help them gain some quality in life.

The reason why we took away the tree, was because the roots around the entire tree was so raised above ground and spread far, that we had to do something for the safety of these sick kids that will be using this house in the future. When I came down to sign contract a father who has a girl with this illness was there as well, he told me this will be dangerous for the little children. The pool takes up much space in the yard and nothing is left for them to play, run around and relax. Even the pool, since it's raised we have to rebuild it for the safety of the children.

Again, what we did was entirely for the safety of these sick children. We are dedicated to help the sick children and their families. We feel bad if we violated any law. I apologize for that.

Sincerely,



**Rabbi Chaim A. Wolkenfeld**  
*Exec Dir, Child Life Society*



**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: 1058033 Parcel ID: 00057550-000000**

### Ownership Details

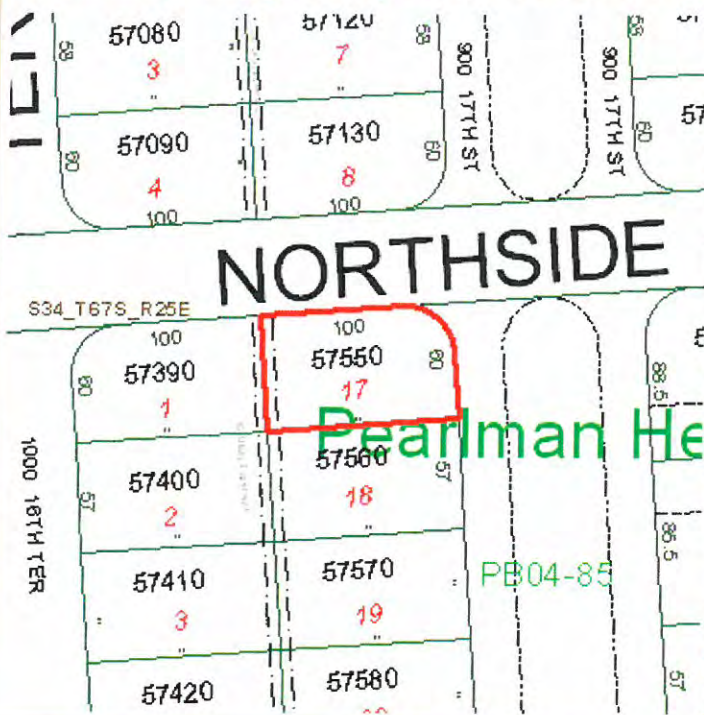
**Mailing Address:**  
CHILD LIFE SOCIETY INC  
1347 43RD ST  
BROOKLYN, NY 11219-1408

### Property Details

**PC Code:** 01 - SINGLE FAMILY  
**Millage Group:** 10KW  
**Affordable Housing:** No  
**Section-Township-Range:** 34-67-25  
**Property Location:** 1000 17TH ST KEY WEST  
**Subdivision:** Pearlman Heights  
**Legal Description:** BK 6 LT 17 KW PEARLMAN HEIGHTS PB4-85 OR296-528/29 OR398-298/99 OR843-282 OR2146-529D/C OR2264-1106ORD  
OR2284-563/4 OR2743-84/85



[Click Map Image to open interactive viewer](#)



## Exemptions

Exemption	Amount
39 - 25000 HOMESTEAD	25,000.00
44 - ADDL HOMESTEAD	25,000.00

## Land Details

Land Use Code	Frontage	Depth	Land Area
010D - RESIDENTIAL DRY	60	100	6,000.00 SF

## Building Summary

Number of Buildings: 1  
 Number of Commercial Buildings: 0  
 Total Living Area: 1469  
 Year Built: 1968

## Building 1 Details

Building Type R1  
 Effective Age 20  
 Year Built 1968  
 Functional Obs 0

Condition A  
 Perimeter 220  
 Special Arch 0  
 Economic Obs 0

Quality Grade 500  
 Depreciation % 27  
 Grnd Floor Area 1,469

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

Roof Type GABLE/HIP

Heat 1 NONE

Heat Src 1 NONE

Extra Features:

Roof Cover METAL

Heat 2 NONE

Heat Src 2 NONE

Foundation CONCR FTR

Bedrooms 3



THE CITY OF KEY WEST  
Tree Commission  
P.O. BOX 1409  
Key West, FL 33041-1409

August 26, 2015

Child Life Society Inc  
1347 43<sup>rd</sup> Street  
Brooklyn, NY 11219-1408

To Whom It May Concern:

It has come to my attention that the recent removal of a tree located at 1000 17<sup>th</sup> Street, Key West, FL might violate standards set forth in Section 110 (Tree Protection) of the City of Key Code of Ordinances.

**Sec. 110-321. 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)



Location of missing tree





Photo taken August 14, 2015 of missing tree stump.



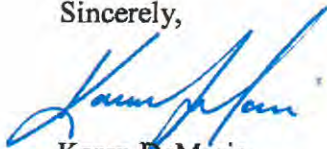
Google Earth Photo of missing tree



On August 14, 2015, I received an anonymous complaint regarding the removal of a tree in the back yard of a house located at 20<sup>th</sup> and 17<sup>th</sup> St. An inspection of the area determined that a Frangipani tree was missing from the backyard of 1000 17<sup>th</sup> Street. A stump with recent cuts and a garbage bag was observed where the tree once stood. Further investigation revealed that no permits had been issued for the removal of the frangipani tree at that location. A permit would have been required from the Tree Commission due to the size of the tree (greater than 4" diameter).

Please contact my office so that we can meet to discuss this issue.

Sincerely,



Karen DeMaria  
Urban Forestry Manager  
305-809-3768  
[kdemaria@cityofkeywest-fl.gov](mailto:kdemaria@cityofkeywest-fl.gov)



2011  
photo

8.14.15 tree is  
gone.  
looks like bush  
cuts.  
ED





© 2015 Google

Google earth