



**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**

September 27, 2016

Tree Commission
City of Key West
Petitioner,

Vs.

Drew Bierman
1116 Packer Street
Key West, FL 33040

An administrative hearing before the Tree Commission for the City of Key West will be held on **Monday, November 14, 2016**, at 5:00 p.m., at Old City Hall, 510 Greene 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 August 31, 2016 at 1116 Packer Street

Alleged code violation:

Sec. 110-256. Tree abuse.

(b) *Prohibited acts. A tree shall be considered abused if a person takes an action so that one of the following occurs:*

(2) *Damage inflicted to or cutting upon a tree which permits infection or pest infestation.*

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:*

(1) *Any tree listed as "specially protected" in section 110-253;*

Factual allegation: A Spanish Stopper tree has been transplanted without a permit, poor cuts were made to two regulated trees including a Spanish lime tree without benefit of a permit, and a Coconut Palm and a regulated Frangipani tree were removed without benefit of a tree removal permit.

Key to the Caribbean – average yearly temperature 77 ° Fahrenheit.

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 **28th day of September 2016.**

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



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

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Drew Bierman
1116 Packer Street
Key West, FL 33040

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DREW BIERMAN

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10.3.16

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