

**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 23, 2017

Tree Commission
City of Key West
Petitioner,

Vs.

Daniel Galvan-Island Fence
1109 17th Terrace
Key West, FL 33040

An administrative hearing before the Tree Commission for the City of Key West will be held on **Tuesday, March 14, 2017**, at 5:00 p.m., at **Josephine Parker City Hall at Historic Glynn R. Archer School, 1300 White Street, 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, 2017 at 1525 Von Phister 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:

- (1) Significant damage has been inflicted upon any part of a tree, including the root system, by machinery, storage of materials, soil compaction, excavation, vehicle accidents, chemical application or change to the natural grade.
- (2) Damage inflicted to or cutting upon a tree which permits infection or pest infestation.
- (4) Cutting upon a tree which destroys its natural shape.



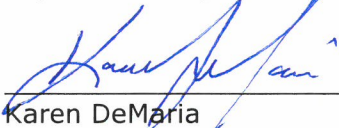
Factual allegation: The trunk of a protected Spanish Lime tree was improperly cut and roots from a protected Royal Poinciana tree were improperly cut during the installation of a fence.

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 and mailed to the Respondents and has been sent regular mail and certified U.S. Mail to the above named Respondent's listed address on this **23rd day of February 2017**.

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



Karen DeMaria

Urban Forestry Manager

kdemaria@cityofkeywest-fl.gov

cc: Jennifer Rizzo, 1525 Von Phister Street, Key West, FL 33040