



**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**

July 11, 2017

Tree Commission
City of Key West
Petitioner,

Vs.

Bruce Van Allen
PO Box 583
Inverness, FL 34451

Ernesto Vildostegui
2307 Linda Avenue
Key West, FL 33040

An administrative hearing before the Tree Commission for the City of Key West will be held on **Tuesday, August 8, 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 Respondents. Your presence is required at this Tree Commission meeting.

Date of alleged violation: prior to June 17, 2017 at 2303 Linda Avenue

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.
 - (4) Cutting upon a tree which destroys its natural shape.

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

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

Factual allegation: Eight (8) protected Silver Buttonwood trees have been topped and all the canopy branches from one (1) protected Gumbo Limbo and one (1) protected Mahogany tree have been removed. A heavy maintenance permit is required when turning a tree into a hedge or for when removing large diameter canopy branches from regulated trees. A permit is also required to remove protected trees.

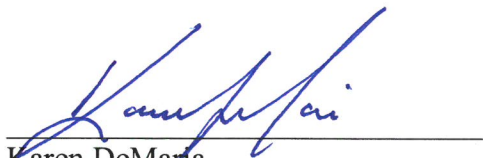


If the Tree Commission for the City of Key West finds that there has been a violation of the above code section, it will elect to enter into a compliance settlement agreement pursuant to section 110-291 of the Key West City Code or recommend a fine and further hearing before the Special Master of the 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 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 **11th day of July 2017**.

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



Karen DeMaria

Urban Forestry Manager

kdemaria@cityofkeywest-fl.gov

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ 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. 	<p>A. Signature <div style="display: flex; justify-content: space-between;"> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee </div> </p> <p>B. Received by (Printed Name) C. Date of Delivery <div style="display: flex; justify-content: space-between;"> 7/29/17 </div> </p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> Bruce Van Allen PO Box 583 Inverness FL 34451 </div>	<p>3. Service Type</p> <div style="display: flex; justify-content: space-between;"> <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail </div> <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise </div> <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. </div> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label) 7007 3020 0000 5343 9113</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ 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. 	<p>A. Signature <div style="display: flex; justify-content: space-between;"> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee </div> </p> <p>B. Received by (Printed Name) C. Date of Delivery <div style="display: flex; justify-content: space-between;"> ERNESTO VILDOSTEGUI 7-14-17 </div> </p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> Ernesto Vildostegui 2307 Linda Avenue Key West FL 33040 </div>	<p>3. Service Type</p> <div style="display: flex; justify-content: space-between;"> <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail </div> <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise </div> <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. </div> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label) 7007 3020 0000 5343 9120</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	



Summary

Parcel ID 00064240-000100
Account # 9006482
Property ID 9006482
Millage Group 10KW
Location 2303 LINDA AVE, KEY WEST
Address
Legal KW KEY ESTATES PB3-49 PART OF TRACT A OR240-190/91 OR1336-1301/03 OR1338-1379/81-C
Description OR1702-2436/37Q/C OR1740-1634/35-C OR1783-1247/50Q/C OR2199-2369/70
 (Note: Not to be used on legal documents)
Neighborhood 6243
Property Class VACANT RES (0000)
Subdivision Key Estates
Sec/Twp/Rng 04/68/25
Affordable No
Housing



Owner

VAN ALLEN BRUCE
 PO BOX 583
 INVERNESS FL 34451-0583

Valuation

	2016	2015	2014	2013
+ Market Improvement Value	\$0	\$0	\$0	\$0
+ Market Misc Value	\$6,517	\$5,667	\$5,152	\$5,152
+ Market Land Value	\$200,213	\$146,823	\$133,475	\$133,475
= Just Market Value	\$206,730	\$152,490	\$138,627	\$138,627
= Total Assessed Value	\$65,874	\$59,886	\$54,442	\$49,493
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$206,730	\$152,490	\$138,627	\$138,627

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
RESIDENTIAL DRY UNPERMITTED (01DM)	7,048.00	Square Foot	0	0

Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
FENCES	1975	1976	1	1116 SF	5
RW2	1975	1976	1	200 SF	1
PATIO	1975	1976	1	90 SF	2

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
4/6/2006	\$236,900	Warranty Deed		2199	2369	Q - Qualified	Vacant

Photos



Map



No data available for the following modules: Buildings, Commercial Buildings, Mobile Home Buildings, Exemptions, Permits, Sketches (click to enlarge).

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the

Last Data Upload: 7/11/2017 2:39:06 AM



Schneider

Developed by
The Schneider
Corporation

Karen DeMaria

From: Gerald Leggett
Sent: Saturday, June 17, 2017 12:31 PM
To: Code Compliance; Building; Karen DeMaria
Subject: 2303 Linda Ave 17-00000914
Attachments: 17 00000914 2303 Linda Ave (1).jpeg; 17 00000914 2303 Linda Ave (2).jpeg; 17 00000914 2303 Linda Ave (3).jpeg; 17 00000914 2303 Linda Ave (4).jpeg; 17 00000914 2303 Linda Ave (5).jpeg; 17 00000914 2303 Linda Ave (6).jpeg; 17 00000914 2303 Linda Ave (7).jpeg; 17 00000914 2303 Linda Ave (8).jpeg

Good Afternoon,

Today during an area canvas, I observed Mr. Ernest Vidostegui, demolishing a 8" concrete masonry unit wall along Flagler Ave. Additionally, I observed two gumbo limbo trees to be cut down. Upon investigating, I determined the work was performed without the benefit of proper permits. Mr. Vidostergui (owner of Riviera Café) advised me he was doing the work for the subject property owner VAN ALLEN BRUCE (a friend) . Mr. Vidostergui stated he was advised by the property owner, proper permitting had been issued. Mr. Vidostergui was advised City Records indicated no permits have been applied for and or issued for the removal of the wall and or removal of the trees. I posted a stop work order and Mr. Vidostergui seized work progression immediately. Please see attached photos for further information.

Note: The two real estate agents with a sign posted to the subject property are the owners of 1616 Atlantic #6 case 17 - 00000340, previously sited for demo and building without the benefit of proper permits.

Have a great weekend,

Lenny

2017/06/17

11:12



2017/06/17

10:29



2017/06/17

11:18

• MASTERFUL DESIGN on a Spectacular Huge 7048 Sq. Ft. Lot
• BRAND NEW TURN KEY 3 Bedroom 2 Bathroom Home
• Plus a 2 Bedroom 1 Bathroom INCOME PRODUCING PROPERTY
• Separate Entrances from Linda Ave & Flagler Ave
• (2110 Sq. Ft. Under Air) Swimming Pool (Optional)



GOLDMILL
BANKER'S
SILVESTRI
REAL ESTATE CO.

Rick Lively and Jeanette Silvestri

Realtor, Certified Building Contractor

305-797-7233

305-619-0112

Your Dream Our Mission



2017/06/17

11:12



DO NOT PARK
NO HAZARDOUS
WASTE ACCEPTED
CAUTION CAUTION

WM
WASTE MANAGEMENT
305.471.4444
954.974.7500
wm.com

2017/06/17

11:12



2017/06/17

11:13



2017/06/17

11:24



2017/06/17

11:18



**CITY OF KEY WEST
BUILDING DEPARTMENT**
1300 White Street
Key West, FL 33040

Code 88-345
305-887-345

STOP WORK ORDER

Address of Infraction: **2303 Linda Ave**

Tractor or Individual Performing Violation: **Van Allen Bruce**

Permit #: **N/A**

Inspector: **Gle**

Time: **11:00A**

Reason for Notice:

☒ **BUILDING PERMIT REQUIRED**
Code of Ordinances, Section 14-37 -- No work shall be performed without benefit of a permit.

☐ **HARC PERMIT REQUIRED**
Code of Ordinances, Section 14-40 -- No work shall be performed without benefit of a Certificate of Appropriateness.

☐ **WORKING OVER SCOPE OF PERMIT**
Code of Ordinances, Section 14-37 -- No work shall be performed unless a proper permit is so posted.

☐ **OTHER:** _____

SECTION 14-115, Unauthorized Removal of Complaints, Notices or Orders
No person without permission of The Building Official shall remove or permit the removal of this notice in accordance with sections 14-108 and 14-109.

This STOP WORK ORDER is hereby issued under authority of the Office of the Building Official. POSTED and ORDERED this **17** day of **June**, **2017** By **G. Leggett**

**Chief Building Official
DO NOT REMOVE**

Rick