



**THE CITY OF KEY WEST
Tree Commission**

Post Office Box 1409 Key West, FL 33041-1409
Telephone: 305-809-3725

**NOTICE OF ADMINISTRATIVE HEARING
BEFORE THE TREE COMMISSION OF THE CITY OF KEY WEST**

July 24, 2019

Tree Commission
City of Key West
Petitioner,

Vs.

Roberto Alvarenga
801 Waddell Avenue Apt 2
Key West, FL 33040

An administrative hearing before the Tree Commission for the City of Key West will be held on **Tuesday, August 13, 2019**, 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 July 5, 2019 at 801 Waddell Avenue Apt 2, Key West, FL:

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;

Factual allegation: One (1) Gumbo limbo tree has been removed without benefit of a tree removal permit.



Gumbo
Limbo tree



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 mailed to the Respondents and has been sent via e-mail, regular mail, and certified U.S. Mail to the above named Respondent's listed address on this **24th day of July 2019**.

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



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

STAFF REPORT

DATE: August 1, 2019

RE: **Administrative Hearing for 801 Waddell Avenue Apt 2**

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

The week of June 24, 2019, I received a complaint that a neighbor was going to cut down some trees at 801 Waddell Avenue. A site visit on June 28, 2019, determined that most of the vegetation in the area was ornamental or not regulated except for several thatch palms, a young Gumbo Limbo tree, and a large Mahogany tree. On July 2, 2019, Roberto Alvarenga called after finding my business card on the property and stated that he had cleaned the area and removed most of the vegetation including the young Gumbo limbo tree. He also sent an email stating what had happened and why (see email attached).



Street view photo of area, June 28, 2019.



Gumbo
Limbo tree

06/28/2019



Photo of Gumbo limbo tree June 28, 2019.



Photo of the area where Gumbo limbo tree was located, view 1, July 19, 2019.



Photo of the area where Gumbo limbo tree was located, view 2, July 19, 2019.

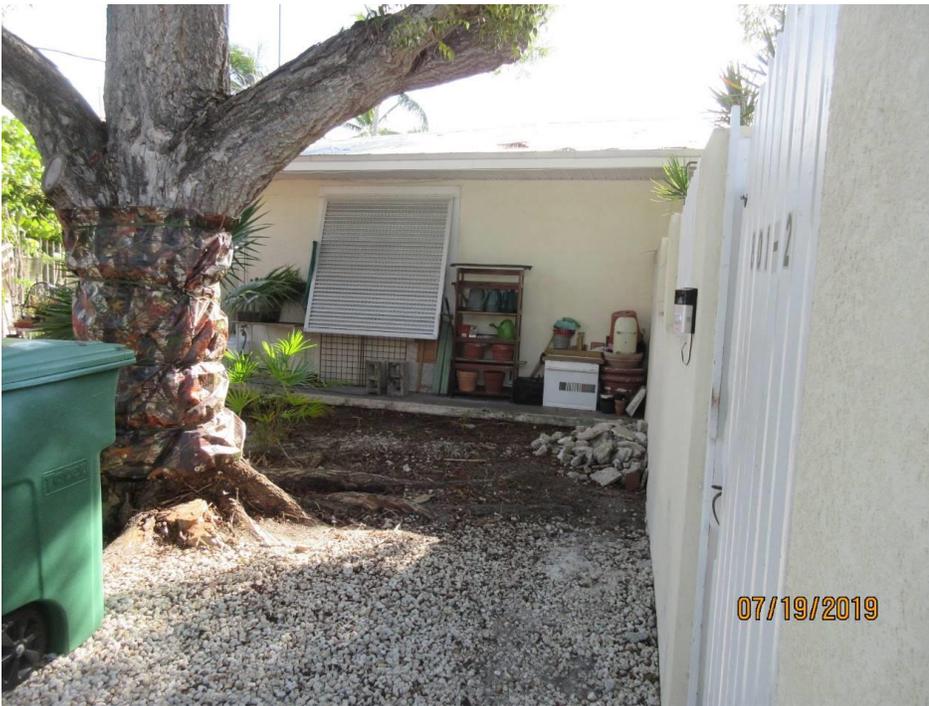


Photo of area, July 19, 2019.



Streetview photo of area, July 19, 2019.

The diameter of the Gumbo Limbo tree was approximately 2-3" with a strong growth lean over the roof. It was a young tree growing under the canopy of the large mahogany tree. Recommend requiring replanting at least 3" of approved tree species on the property.