

# STAFF REPORT

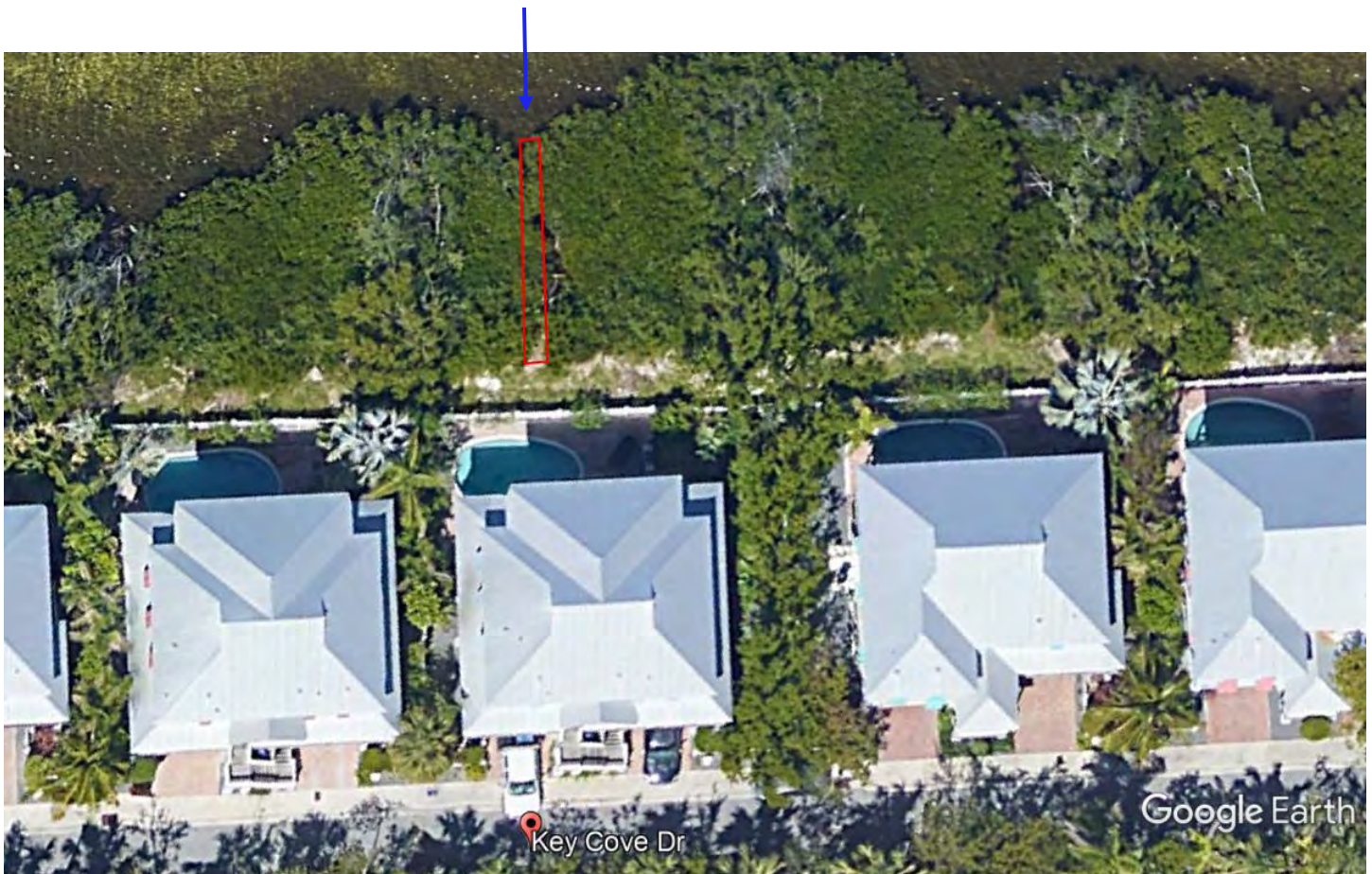
DATE: September 2, 2021

RE: 2861 Key Cove Drive (permit application # T2021-0267)

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

An application was received requesting the removal of shoreline mangroves within the footprint of a proposed observation deck. A site inspection was done and documented the following:

Tree Species: Red, Black and White Mangroves  
(*Rhizophora mangle*, *Avicennia germinans*, & *Languncularia racemosa*)



Aerial photo showing approximate location of proposed observation deck work.



Photo showing  
location of  
proposed  
work, view 1.



Photo  
showing  
location of  
proposed  
work, view 2.  
Red ribbons  
mark the  
corners of the  
work area.



Standing on shoreline looking waterward-photo showing location of mangrove removal, view 1.



Standing on shoreline looking waterward-photo showing location of mangrove removal, view 2.



Standing on shoreline looking waterward-photo showing location of mangrove removal, view 3.



Standing on shoreline looking waterward-photo showing location of mangrove removal, view 4.



Close up look at mangrove and shoreline area. Flag marks the western edge of proposed work area.

The applicant is requesting the removal of mangrove trees, mostly red mangroves, located within a 4ft wide by 44ft long area for the construction of a walkway to an observation deck. The project has been approved by the required State and Federal regulatory agencies-the South Florida Water Management District and the Army Corps of Engineers. The State and Federal permits allow for the removal of the mangroves within the footprint of the proposed structure and trimming of mangrove tree branches along the sides of the structure to allow for clear access.

There is an existing approval by the State of Florida to trim the fringing mangrove area. This approval issued with the original development permit for the development project does not allow for removal of mangroves but does allow for certain mangrove areas along the shoreline to be maintained at a height of 8 ft tall measured from the substrate.

City code does not make an allowance for the removal of any trees associated with the construction of docks or deck structures. Removal of any protected or regulated trees must be reviewed by the Tree Commission. All species of mangrove trees (red, black, and white) are listed on the protected tree list.

The Tree Commission application is requesting the removal of the trees within the 4 ft by 44 ft wide area, a total of 176 square foot of mangrove shoreline area. Normal permit procedures would require identification and measurement of each tree. Since most of the trees are located waterward of the shoreline, counting and measuring each tree would be a laborious task.

Several years ago the City was involved with an enforcement case with the State of Florida regarding the removal of a 200 square foot area of young mangrove trees. The State required that the City replant 8 mangrove trees to compensate for the removal of the 200 sq ft area, or 1-tree for every 25 sq ft of impact area. Using this incident as a guideline, the application being presented to the Tree Commission will require the removal of trees within a 176 sq ft area.

A proposed mitigation of 1-tree for every 25 sq ft of impact would require the planting of 7 approved trees to be planted anywhere on the property or a payment of \$1,400 to the City Tree Fund (\$200 x 7 trees). The applicant has agreed to this mitigation proposal (email response dated August 30, 2021).

# Additional Information

## Karen DeMaria

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**From:** Javier Garrido <javier@keywestvacationhomes.com>  
**Sent:** Wednesday, October 27, 2021 6:03 PM  
**To:** Karen DeMaria  
**Cc:** Debbie Batty; Ronald Ramsingh  
**Subject:** [EXTERNAL] Re: [EXTERNAL] RE: Tree Commission and Key Cove deck/dock  
**Attachments:** image.jpg; image.jpg; image.jpg; image.jpg; image.jpg; image001.jpg; image002.png; image001.jpg; image002.png

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attached are the photos provided by Mike Bull of the nearby observation decks he has built with previous city, state and federal permits.

Sincerely,

Javier

Key West Vacation Homes



Sent from my iPhone

On Oct 27, 2021, at 6:00 PM, Javier Garrido <javier@keywestvacationhomes.com> wrote:

This is from Mike Bull, the contractor who is building the movers at ion deck and who also built several of the decks nearby.

Scope of work:

Trim/cut approximately 176 square feet (4'x44') of primarily mangrove as necessary to install eight 5" aluminum pin pilings with plastic sleeves The pin piles are to be driven into the bottom from land and from a barge using a crane and pneumatic hammer. These piles are to support a 4'x44' wood constructed walkway connected to an 8'x20' observation platform which is to be built outside the mangrove fringe.

All required permits and permissions have been issued by the Florida Department of Environmental Protection to cut and trim mangroves as necessary within the footprint of the walkway and install the pin pilings into their the bay bottom. Additionally, the US Army Corps of Engineers has issued a permit to construct the walkway and observation platform over the navigable waters.

Feel free to contact me with questions.

Sincerely,

Javier

Key West Vacation Homes

Sent from my iPhone











## Karen DeMaria

---

**From:** Javier Garrido <javier@keywestvacationhomes.com>  
**Sent:** Wednesday, October 27, 2021 6:00 PM  
**To:** Karen DeMaria  
**Cc:** Debbie Batty; Ronald Ramsingh  
**Subject:** [EXTERNAL] Re: [EXTERNAL] RE: Tree Commission and Key Cove deck/dock  
**Attachments:** image001.jpg; image002.png

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Feel free to contact me with questions.

Sincerely,  
Javier  
Key West Vacation Homes

Sent from my iPhone

On Oct 26, 2021, at 4:30 PM, Karen DeMaria <kdemaria@cityofkeywest-fl.gov> wrote:

I have two buttonwood trees that are to be trimmed, not removed, that are located right above the mean high water line at the proposed dock entrance. My understanding of dock construction and permitting requirements are that the entire canopy and trunk of the mangrove trees will be cut down to the water line which is a removal as that tree can not grow back again due to the structure over it. I think a description by the contractor would be great and very helpful. I do need that by the end of the day tomorrow so I can write the report on Thursday. I will advertise the agenda item the same as last month unless suggested otherwise (I have to have the agenda to the paper by 11 a.m. Wednesday-tomorrow).

"Requesting approval to remove approximately 176 Square feet of shoreline mangrove trees to construct and observation platform."

Sincerely,

Karen

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**From:** Javier Garrido <javier@keywestvacationhomes.com>  
**Sent:** Tuesday, October 26, 2021 3:53 PM  
**To:** Karen DeMaria <kdemaria@cityofkeywest-fl.gov>; Debbie Batty <dbatty@historictours.com>  
**Cc:** Ronald Ramsingh <r Ramsingh@cityofkeywest-fl.gov>  
**Subject:** [EXTERNAL] RE: Tree Commission and Key Cove deck/dock

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Good afternoon.

I should have a more descriptive scope of work from the contractor to add including photos of the docks which are to be installed. They are far less intrusive than what was envisioned.

We do not plan to move the proposed dock from the existing permit location.

Also, can you confirm that the request is to remove several buttonwoods, not mangroves. The mangroves in question are to be trimmed, not removed.

I will provide the contractor's additional description of work no later than the COB tomorrow. Will that be acceptable?

Thanks in advance for your time.

Sincerely,

Javier Garrido  
Key West Vacation Homes  
(305) 292-8905 Office  
[KeyWestVacationHomes.com](http://KeyWestVacationHomes.com)



---

**From:** Karen DeMaria <kdemaria@cityofkeywest-fl.gov>  
**Sent:** Tuesday, October 26, 2021 3:45 PM  
**To:** Javier Garrido <javier@keywestvacationhomes.com>; Debbie Batty <dbatty@historictours.com>  
**Cc:** Ronald Ramsingh <r Ramsingh@cityofkeywest-fl.gov>  
**Subject:** Tree Commission and Key Cove deck/dock

Javier and Debbie:

I am putting the agenda together for the November 9, 2021 Tree Commission agenda and wanted to know if there are any changes to your file. Are you requesting the deck/dock in the same location or are

you going to move it to another location that will have less mangrove tree impacts as mentioned by the Tree Commission? I did check with a consultant that works with the State and Federal regulatory agencies and he indicated that a change to those permits regarding the location would be a simple modification to the permits.

How would you like to proceed?

Sincerely,

Karen

*Karen DeMaria*

Karen DeMaria  
Urban Forestry Manager  
Certified Arborist FL-6585A  
City of Key West  
305-809-3768



## Karen DeMaria

---

**From:** Javier Garrido <javier@keywestvacationhomes.com>  
**Sent:** Monday, August 30, 2021 10:29 AM  
**To:** Karen DeMaria; Debbie Batty  
**Subject:** [EXTERNAL] RE: 2861 Key Cove Dr mangrove removal

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning.

We feel option 2 is the best option and knowing our mitigation payment will go to help the City's Tree Fund ensures the commission can continue their efforts.

Feel free to contact us with any additional questions you may have.

Sincerely,

Javier Garrido  
Key West Vacation Homes  
(305) 292-8905 Office  
[KeyWestVacationHomes.com](http://KeyWestVacationHomes.com)



---

**From:** Karen DeMaria <kdemaria@cityofkeywest-fl.gov>  
**Sent:** Friday, August 27, 2021 2:29 PM  
**To:** Javier Garrido <javier@keywestvacationhomes.com>; Debbie Batty <dbatty@historictours.com>  
**Subject:** 2861 Key Cove Dr mangrove removal

Javier and Debbie:

I am reviewing the tree removal application for the construction of the observation deck at 2861 Key Cove Drive. Normally, I would measure the diameter of each tree to be removed, determine a value based on species, condition, and location which would then result in determining the required mitigation for the tree removal. This application presents a very different scenario. In order to complete the processing of the application to the Tree Commission I need to determine the mitigation value of the mangrove tree removal. In reviewing City Code and past permitting and enforcement incidents with the State of Florida I have come up with two options;

1. The applicant will need to count the number of, take waterside photos, and measure the diameter of all the tree trunks in the actual impact area. Using that information I would then be able to determine the value of the trees based on the photos and personal knowledge of the area so that an appropriate mitigation requirement can be made based on the City Code. From what I can see from land, there are numerous tree trunks all around 0.5 to 1 inch diameter. I would estimate the value at 96% (species=100%, condition=90%, and location =100%) for all the trees.
2. When the City accidentally removed some mangroves in a 200 sq ft area at the 10<sup>th</sup> Street pond area (aka McKillip Pond) and self reported the issue, the State required us to replant 8 mangrove trees in the area. Based on this

information, the mitigation requirement was 1-tree for every 25 sq ft. Your application states a mangrove impact area of 176 sq ft (44 ft x 4 ft). Therefore, if we use this incident as a guideline, the mitigation requirement would be 7 trees to be planted anywhere on the property or a payment of \$1,400 to the City Tree Fund.

Please let me know which procedure you would like me to follow so I can finalize my staff report. Any additional information must be submitted to my office by Wednesday, September 1, 2021 in order for the application to remain on the September 7 Tree Commission agenda.

Sincerely,

Karen

*Karen DeMaria*

Karen DeMaria  
Urban Forestry Manager  
Certified Arborist FL-6585A  
City of Key West  
305-809-3768



# Application



R → T2021-0267-  
T → T2021-0268-

## Tree Permit Application

Please Clearly Print All Information unless indicated otherwise. Date: 8/2/2021

Tree Address 2861 Key Cove Dr.

Cross/Corner Street \_\_\_\_\_

List Tree Name(s) and Quantity Green Buttonwood and Mangrove

Species Type(s) check all that apply ☐ Palm ☐ Flowering ☐ Fruit ☐ Shade ☐ Unsure

Reason(s) for Application:

☒ Remove ☐ Tree Health ☐ Safety ☒ Other/Explain below

☐ Transplant ☐ New Location ☐ Same Property ☐ Other/Explain below

☒ Heavy Maintenance Trim ☐ Branch Removal ☒ Crown Cleaning/Thinning ☐ Crown Reduction

Additional Information and Explanation Remove several Mangroves & trim 2 Buttonwoods. The basic scope of the work is to cut and trim approximate 4' x 44' swath through the stand of trees from the land side to the outer mangrove

waterside fringe to install a State and Federally permitted walkway and observation platform.

Property Owner Name Key Cove Landings LLC ✓

Property Owner email Address info@keywestvacationhomes.com

Property Owner Mailing Address 201 Front St. Suite 107

Property Owner Phone Number 3052928905

Property Owner Signature \_\_\_\_\_

Representative Name Javier Garrido

Representative email Address javier@keywestvacationhomes.com

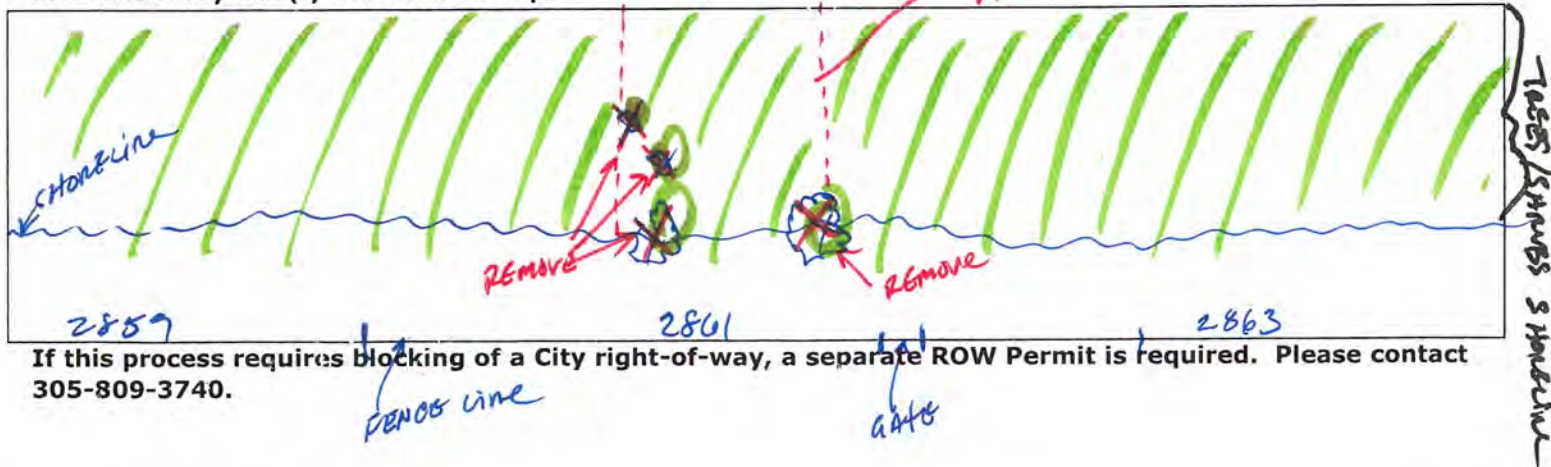
Representative Mailing Address 201 Front St. Suite 103

Representative Phone Number 3052928905

NOTE: A Tree Representation Authorization form must accompany this application if someone other than the owner will be representing the owner at a Tree Commission meeting or picking up an issued Tree Permit. Tree Representation Authorization form attached ☐

Sketch location of tree in this area including cross/corner Street

Please identify tree(s) with colored tape



If this process requires blocking of a City right-of-way, a separate ROW Permit is required. Please contact 305-809-3740.



## Tree Representation Authorization

Attendance at the Tree Commission meeting on the date when your request will be discussed is necessary in order to expedite the resolution of your application. This Tree Representation Authorization form must accompany the application if the property owner is unable to attend or will have someone else pick up the Tree Permit once issued.

Please Clearly Print All Information unless indicated otherwise.

Date 8/2/2021

Tree Address 2861 Key Cove Dr

Property Owner Name Key Cove Landings LLC

Property Owner Mailing Address 201 Front St. Suite 107

Property Owner Mailing City,

State, Zip Key West, FL 33040

Property Owner Phone Number 3052928905

Property Owner email Address info@keywestvacationhomes.com

Property Owner Signature

Representative Name Javier Garrido

Representative Mailing Address 201 Front St. Suite 103

Representative Mailing City,

State, Zip Key West, FL 33040

Representative Phone Number 3052928905

Representative email Address javier@keywestvacationhomes.com

I, Ed. Swift hereby authorize the above listed agent(s) to represent me in the matter of obtaining a Tree Permit from the City of Key West for my property at the tree address above listed. You may contact me at the telephone listed above if there are any questions or need access to my property.

Property Owner Signature

The forgoing instrument was acknowledged before me on this 6<sup>th</sup> day August 2021.  
By (Print name of Affiant) Edwin O. Swift, III who is personally known to me or has produced as identification and who did take an oath.

Notary Public

Sign name:

Print name:

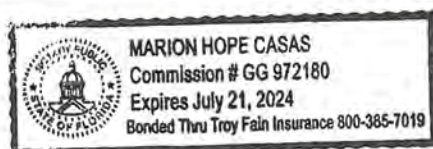
Marion Hope Casas  
MARION HOPE CASAS

My Commission expires:

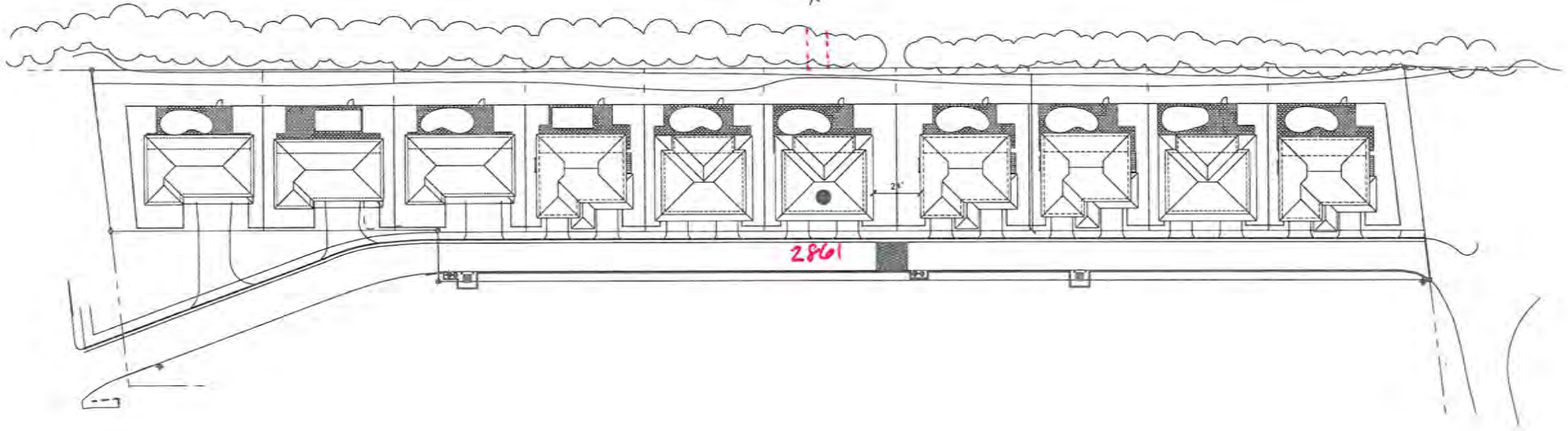
Notary Public-State of

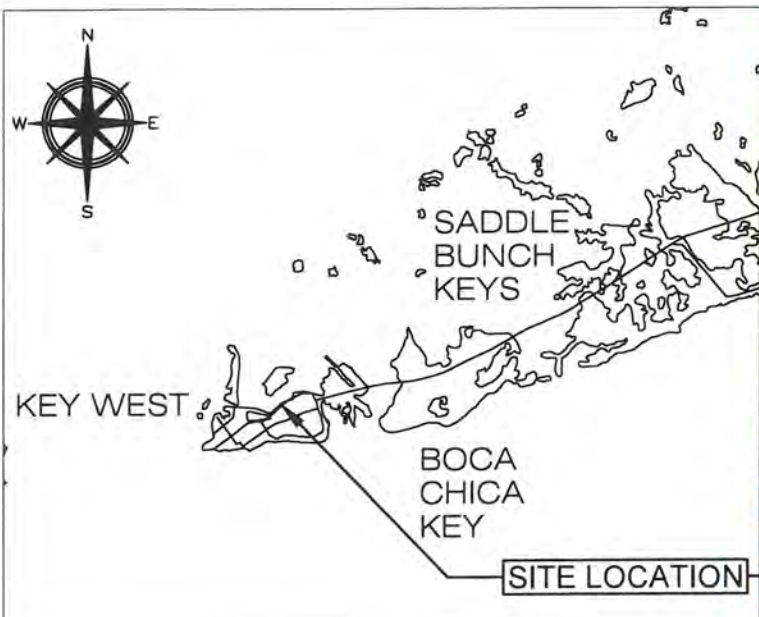
Florida

(Seal)



BAY OF FLORIDA





### SITE DATA

OWNER KEY COVE LANDINGS LLC  
LOCATION 2861 KEY COVE DRIVE S  
REF 00002410-000505  
SECTION/TOWNSHIP/RANGE 33 / 67 / 25  
LEGAL DESCRIPTION UNIT 5 KEY COVE LANDINGS  
LAT 24.56788° N || LONG 81.77308° W

### DESIGN DATA

THE WORK DEPICTED HEREIN WAS DESIGNED TO MEET THE REQUIREMENTS OF THE 2017 FLORIDA BUILDING CODE, AND THE LATEST EDITIONS OF THE FLORIDA MODEL ENERGY CODE, FIRE CODE, LIFE SAFETY CODE, AND THE NATIONAL ELECTRIC CODE. THE FOLLOWING LOADINGS WERE USED:  
WIND LOAD: 180 MPH, ASCE 7-10, EXPOSURE D

### INDEX OF DRAWINGS

SHEET G-1 - COVER SHEET  
SHEET C-1 - SITE PLAN  
SHEET C-2 - STRUCTURE PLAN  
SHEET C-3 - FRAMING PLAN  
SHEET C-4 - ELEVATION PLAN  
SHEET C-5 - EROSION CONTROL PLAN  
SHEET C-6 - CONSTRUCTION NOTES

### GENERAL NOTES

1. THESE PLANS ARE FOR THE CONSTRUCTION AT THE LOCATION SO DESIGNATED HEREIN.
2. THE CONTRACTOR SHALL PROVIDE ALL MATERIAL, LABOR, EQUIPMENT AND SUPERVISION NECESSARY TO PROVIDE THE WORK COMPLETE AND READY FOR USE.
3. THERE SHALL BE NO DEVIATION FROM THESE PLANS WITHOUT PRIOR WRITTEN APPROVAL FROM THE ENGINEER OF RECORD.
4. THE CONTRACTOR SHALL VISIT THE SITE AND BECOME FAMILIAR WITH EXISTING CONDITIONS BEFORE BID. CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS OF THE WORK SITE AND REPORT ANY DISCREPANCIES, DIFFERENCES OR CONDITIONS THAT ARE UNSATISFACTORY OR UNSAFE.
5. NOTIFY THE ENGINEER OF RECORD IMMEDIATELY OF ANY DISCREPANCIES, DIFFERENCES, UNSATISFACTORY OR UNSAFE CONDITIONS. ANY MODIFICATIONS OR CHANGES MADE WITHOUT PRIOR WRITTEN APPROVAL FROM THE OWNER AND ENGINEER OF RECORD SHALL NOT BE ALLOWED. ANY REWORK, RESTORATION OR OTHER IMPACT AS A RESULT OF NOT OBTAINING SUCH PRIOR APPROVAL WILL BE MADE BY THE CONTRACTOR WITHOUT ADDITIONAL COST OR COMPENSATION FROM THE OWNER.
6. THE CONTRACTOR SHALL PROVIDE FOR THE SAFETY, PREVENTION OF INJURY OR OTHER LOSS AT THE JOB TO ALL PERSONS EMPLOYED IN THE WORK, PERSONS VISITING THE WORK AND THE GENERAL PUBLIC. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR THE PREVENTION OF DAMAGE, DUE TO THE WORK, TO MATERIALS OR EQUIPMENT AND OTHER PROPERTY AT THE SITE OR ADJACENT THERETO.
7. NO RESEARCH AS TO THE PRESENCE OF UNDERGROUND UTILITIES HAS BEEN INCLUDED ON OR PERFORMED FOR THIS PROJECT. CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING SUNSHINE UTILITY LOCATE SERVICE PRIOR TO ANY CONSTRUCTION WITHIN ANY PUBLIC RIGHT-OF-WAY OR OTHER AREAS WHERE UNDERGROUND UTILITIES MAY BE PRESENT (I.E. IN AND AROUND UTILITY EASEMENTS, ETC.).
8. THE GENERAL CONTRACTOR SHALL PROVIDE AN ON-SITE DUMPSTER IN A LOCATION COORDINATED WITH THE OWNER FOR THE DISPOSAL OF REMOVED MATERIAL AND CONSTRUCTION DEBRIS. THE DUMPSTER SHALL BE EMPTIED AT APPROPRIATE INTERVALS TO PREVENT OVERFLOW AND UNSIGHTLY CONDITIONS.
9. THE CONTRACTOR SHALL PERFORM ALL WORK IN STRICT CONFORMANCE WITH THE PLANS, 2017 FLORIDA BUILDING CODE, LOCAL CODES AND ORDINANCES, MANUFACTURER RECOMMENDATIONS AND ACCEPTABLE TRADE PRACTICES. ANY CONFLICT BETWEEN THESE REQUIREMENTS AND THE MOST STRINGENT REQUIREMENTS SHALL GOVERN THE WORK.
10. SHOP DRAWINGS OF ALL PREFABRICATED STRUCTURAL FLOOR AND ROOF SYSTEMS AND MECHANICAL SYSTEMS SHALL BEAR THE SEAL OF A FLORIDA PROFESSIONAL ENGINEER AS REQUIRED BY THE 2017 FLORIDA BUILDING CODE AND SHALL BE SUBMITTED TO THE ENGINEER OF RECORD BY THE CONTRACTOR FOR APPROVAL PRIOR TO FABRICATION AND INSTALLATION.
11. THE CONTRACTOR SHALL NOT SCALE DRAWINGS. ANY INFORMATION THAT THE CONTRACTOR CANNOT OBTAIN FROM DIMENSIONS, DETAIL OR SCHEDULE SHALL BE OBTAINED FROM THE ENGINEER OF RECORD.
12. THE CONTRACTOR SHALL COORDINATE THE WORK OF ALL TRADES TO PREVENT ANY CONFLICTS.
13. THE CONTRACTOR SHALL FURNISH ALL SUBCONTRACTORS WITH A COMPLETE SET OF PLANS. ALL CHANGES SHALL BE NOTED ON THE DRAWINGS AND (2) COMPLETE AS-BUILT SETS SHALL BE DELIVERED TO THE OWNER AFTER COMPLETION OF WORK.

### DIRECTIONS

1. TAKE U.S. HIGHWAY 1 SOUTH TOWARD KEY WEST.
2. TURN RIGHT ONTO NORTH ROOSEVELT BLVD AT THE ENTRANCE TO KEY WEST.
3. TURN INTO KEY COVE DEVELOPMENT AFTER KENNEDY BOULEVARD, BEFORE HOME DEPOT.
4. PROCEED TO THE NORTHWEST CORNER OF THE PROPERTY AND ONTO KEY COVE DRIVE.
5. THE PROPERTY IS ON THE RIGHT.

### ADJOINING PROPERTY OWNERS MAILING ADDRESS

#### TO THE WEST:

KEY COVE LANDINGS LLC  
201 FRONT ST STE 224  
KEY WEST, FL 33040

#### TO THE EAST:

KEY COVE LANDINGS LLC  
201 FRONT ST STE 224  
KEY WEST, FL 33040

### SCOPE OF WORK

- CONSTRUCT NEW OBSERVATION PLATFORM FOR A SINGLE FAMILY RESIDENCE

## KEY COVE LANDINGS LLC RESIDENTIAL OBSERVATION PLATFORM PLANS

2861 KEY COVE DRIVE UNIT 5, KEY WEST, FL. 33040

### COVER SHEET G-1

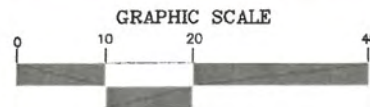
Project No: \_\_\_\_\_ Scale: N.T.S.  
CAD File: \_\_\_\_\_ Date: 6/23/2020  
Key Cove Obs Platform

Revisions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Meridian Engineering, LLC  
201 Front Street, Suite 203  
Key West, Florida 33040  
AUTHORIZATION #29401  
ph:305-293-3263 fax:293-4899

NOT VALID FOR CONSTRUCTION UNLESS  
SIGNED AND SEALED IN THIS BLOCK  
RICHARD J. MILELLI  
PE #58315



# KEY COVE LANDINGS LLC RESIDENTIAL OBSERVATION PLATFORM PLANS

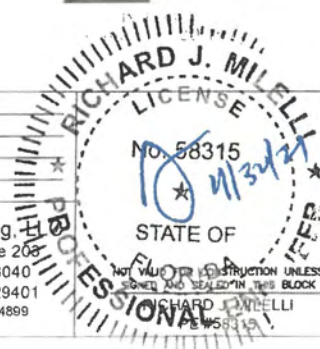
2861 KEY COVE DRIVE UNIT 5, KEY WEST, FL 33040

**SITE PLAN**  
**C-1**

Project No:	Scale: 1"=20'-0"
CAD File: Key Cove Obs Platform	Date: 6/23/2020

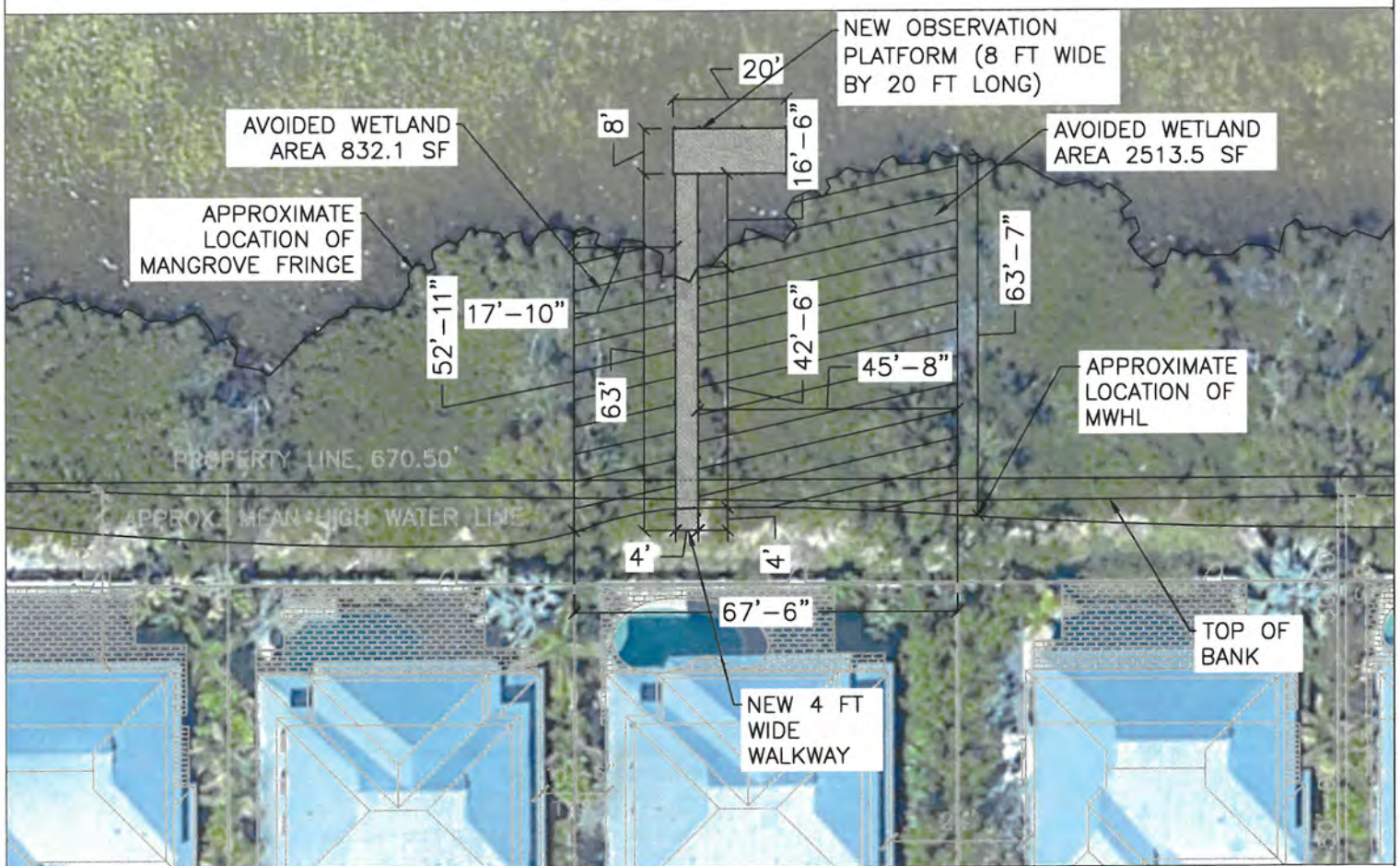
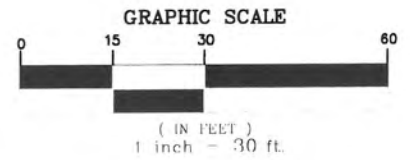
Revisions:

Meridian Engineering,  
201 Front Street, Suite 202  
Key West, Florida 33040  
AUTHORIZATION #29401  
ph:305-293-3263 fax:293-4899



DATA TABLE

TOTAL OBSERVATION PLATFORM AREA	412 SF
TOTAL NUMBER OF PILES	20
APPROXIMATE AREA IN MANGROVES	163.4 SF
APPROXIMATE AREA OVER SURFACE WATER	232.9 SF
APPROXIMATE AREA IN UPLANDS	15.7 SF
TOTAL WETLAND SHORELINE AREA TO BE AVOIDED AND PRESERVED	3345.6 SF
APPROX. DIMENSIONS OF WETLAND AREA TO BE AVOIDED	17.3 FT BY 48.1 FT 45.7 FT BY 55.0 FT



NOTE: SEE SHEETS C-3.0 AND C-4.0 FOR FRAMING AND CONSTRUCTION DETAILS

**KEY COVE LANDINGS LLC**  
**RESIDENTIAL OBSERVATION PLATFORM PLANS**

2861 KEY COVE DRIVE UNIT 5, KEY WEST, FL. 33040

**STRUCTURE PLAN**  
**C-2**

Project No: \_\_\_\_\_ Scale: 1"=30'  
CAD File: Key Cove Obs Platform Date: 6/23/2020

Revisions: \_\_\_\_\_  
Meridian Engineering, LLC  
201 Front Street, Suite 203  
Key West, Florida 33040  
AUTHORIZATION #29401  
ph.305-293-3263 fax.293-4899

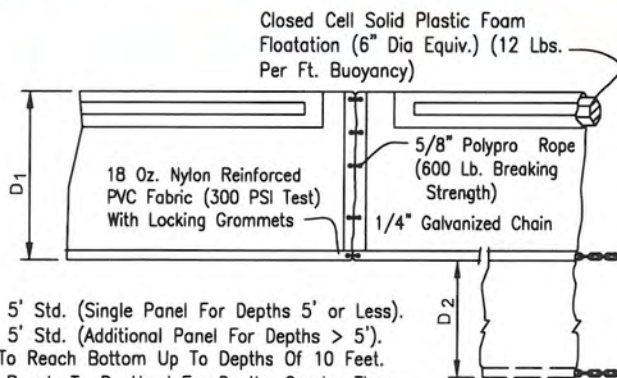
NOT VALID FOR CONSTRUCTION UNLESS  
SIGNED AND SEALED IN THIS BLOCK  
RICHARD J. MILELLI  
PE #58315

PROPOSED  
OBSERVATION  
PLATFORM

TURBIDITY BARRIER

PROPERTY LINE 670.50'

PROX. MEAN HIGH WATER LINE



D = 5' Std. (Single Panel For Depths 5' or Less).  
D = 5' Std. (Additional Panel For Depths > 5').  
Curtain To Reach Bottom Up To Depths Of 10 Feet.  
Two (2) Panels To Be Used For Depths Greater Than  
10 Feet Unless Special Depth Curtains Specifically Called  
For In The Plans Or As Determined By The Engineer.

NOTICE: COMPONENTS OF TYPE I MAY BE SIMILAR OR IDENTICAL TO  
PROPRIETARY DESIGNS. ANY INFRINGEMENT ON THE PROPRIETARY  
RIGHTS OF THE DESIGNER SHALL BE THE SOLE RESPONSIBILITY OF  
THE USER. SUBSTITUTIONS FOR TYPE I SHALL BE AS APPROVED BY  
THE ENGINEER.

#### FLOATING TURBIDITY BARRIER GENERAL NOTES:

1. TURBIDITY BARRIERS ARE TO BE USED IN ALL PERMANENT BODIES OF WATER REGARDLESS OF DEPTH.
2. NUMBER AND SPACING OF ANCHORS DEPENDENT ON CURRENT VELOCITIES.
3. DEPLOYMENT OF BARRIER AROUND TREE LOCATIONS MAY VARY TO ACCOMMODATE CONSTRUCTION GUIDELINES.
4. FOR ADDITIONAL INFORMATION SEE SECTION 104 OF THE STANDARD SPECIFICATIONS.

#### FLOATING TURBIDITY BARRIER DETAIL

TYPE I BARRIER  
FDOT INDEX NO. 103  
Not To Scale

## KEY COVE LANDINGS LLC RESIDENTIAL OBSERVATION PLATFORM PLANS

2861 KEY COVE DRIVE UNIT 5, KEY WEST, FL. 33040

### EROSION CONTROL PLAN

C-5

Project No: Scale:  
N.T.S.

CAD File: Date:  
Key Cove Obs Platform 6/23/2020

Meridian Engineering, LLC  
201 Front Street, Suite 203  
Key West, Florida 33040  
AUTHORIZATION #29401  
ph:305-293-3263 fax:293-4899

Revisions:

NOT VALID FOR CONSTRUCTION UNLESS  
SIGNED AND SEALED IN THIS BLOCK  
RICHARD J. MILELLI  
PE #58315

**GENERAL NOTES:**

1. CONTRACTOR SHALL OBTAIN ALL APPLICABLE PERMITS PRIOR TO COMMENCING WORK. THE REQUIREMENTS OF THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE ARMY CORPS OF ENGINEERS, & LOCAL REGULATIONS SHALL GOVERN ALL WORK.
2. WORK SHOWN ON DRAWINGS IS DESIGNED IN ACCORDANCE WITH THE FLORIDA BUILDING CODE (LATEST EDITION). CONTRACTOR SHALL FOLLOW ALL APPLICABLE PROVISIONS FOR ALL PHASES OF CONSTRUCTION.
3. THE PROPOSED STRUCTURE(S) IS DESIGNED FOR A LIVE LOAD OF 40 PSF. WIND LOADS ARE DESIGNED PER THE 2017 FLORIDA BUILDING CODE.
4. CONTRACTOR SHALL ADHERE TO THE STANDARD MANATEE CONSTRUCTION CONDITIONS (LATEST EDITION). IF NEEDED, THE CONTRACTOR CAN CONTACT THE ARMY CORPS OF ENGINEERS OR THE ENGINEER TO OBTAIN A COPY OF THE STANDARD MANATEE CONSTRUCTION CONDITIONS.
5. BEST MANAGEMENT PRACTICES, INCLUDING THE USE OF TURBIDITY BARRIERS, ARE REQUIRED TO ISOLATE THE CONSTRUCTION AREA FROM THE ADJACENT WATERS. CONTRACTOR SHALL INSTALL TURBIDITY BARRIERS AROUND THE IMMEDIATE PROJECT AREA PRIOR TO CONSTRUCTION. THE TURBIDITY BARRIERS SHALL REMAIN IN PLACE UNTIL WATER QUALITY CONDITIONS RETURN TO PRE-CONSTRUCTION CONDITIONS. WATER QUALITY MONITORING SHALL ADHERE TO STATE REGULATIONS.
6. ELECTRIC & WATER (DESIGN PROVIDED BY OTHERS UNLESS SHOWN) SHALL BE PROVIDED. CONTRACTOR SHALL COORDINATE FINAL LOCATION OF ALL PROPOSED UTILITIES WITH OWNER PRIOR TO CONSTRUCTION.
7. CONTRACTOR SHALL FIELD VERIFY DIMENSIONS & WATER DEPTHS PRIOR TO CONSTRUCTION. ANY DISCREPANCIES ON THE DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER BEFORE COMMENCING WORK.
8. THE STRUCTURAL INTEGRITY OF THE COMPLETED STRUCTURE DEPENDS OF INTERACTION OF VARIOUS CONNECTED COMPONENTS. PROVIDE ADEQUATE BRACING, SHORING, AND OTHER TEMPORARY SUPPORTS AS REQUIRED TO SAFELY COMPLETE THE WORK.
9. EXERCISE EXTREME CARE AND CAUTION WHEN EXCAVATING AND FILLING ADJACENT TO EXISTING STRUCTURES. UNDER NO CIRCUMSTANCES SHALL THE STRUCTURAL INTEGRITY OF THE EXISTING STRUCTURES BE IMPAIRED IN ANY WAY BY CONSTRUCTION OPERATIONS AND PROCEDURES. DO NOT EXCAVATE OR DISTURB SOIL ADJACENT TO OR BENEATH EXISTING FOOTINGS.
10. CONTRACTOR SHALL COORDINATE INSTALLATION OF CLEATS, LADDERS, PILE CAPS, AND OTHER DOCK ACCESSORIES WITH OWNER PRIOR TO CONSTRUCTION. ALL DOCK ACCESSORIES SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS. STAINLESS STEEL HARDWARE SHALL BE USED FOR ALL CONNECTIONS TO DOCK.

**ALUMINUM PILES:**

1. PILES SHALL BE 6061-T6 MARINE GRADE 4.5" O.D. SCHEDULE 40 ALUMINUM PIN PILE WITH 5" VINYL SLEEVE.
2. A STRAIGHT LINE DRAWN FROM THE CENTER OF THE BUTT TO THE CENTER OF THE TIP SHALL NOT, AT ANY POINT, FALL FURTHER AWAY FROM THE CENTER OF THE PILE THAN A DISTANCE EQUAL TO 1% OF THE LENGTH OF THE PILE.
3. PILES SHALL PENETRATE THROUGH FIRM ROCK A MINIMUM OF 3 FT.
4. PILES SHALL BE SPACED AT A MAXIMUM OF 10 FT O.C. UNLESS OTHERWISE SHOWN.
5. DO NOT DRIVE PILES WITHIN 20 FT OF NEW CONCRETE WITH LESS THAN SEVEN DAYS OF CURING TIME.
6. CONTRACTOR SHALL INVESTIGATE ANY SUDDEN DECREASE IN DRIVING RESISTANCE FOR POSSIBLE BREAKAGE OF THE PILE. IF SUDDEN DECREASE IN DRIVING RESISTANCE CANNOT BE CORRELATED TO BORING DATA OR SOME INCIDENT IN THE DRIVING, AND IF THE PILE CANNOT BE INSPECTED, SUCH DECREASE IN DRIVING RESISTANCE MAY BE CAUSE FOR REJECTION OF THE PILE.
7. RE-DRIVE ANY PILE WHICH IS RAISED DURING DRIVING OF ADJACENT PILES, TO THE ORIGINAL TIP ELEVATION.
8. HEIGHT OF PILES SHALL BE FIELD DETERMINED BY OWNER. CUT OFF PILES AT TOP ELEVATION AS DIRECTED BY OWNER. REPLACE OR REPAIR PILES WHICH ARE DAMAGED WHEN CUT OFF.
9. PILES SHALL DEVIATE FROM PLUMB AND ANGLE OF BATTER NO MORE THAN 1/4 INCH PER FOOT OF PILE LENGTH, BUT NOT MORE THAN 6 INCHES OVERALL. PILES SHALL NOT DEVIATE FROM LOCATION OF PILE TOP MORE THAN 6 INCHES.
10. REMOVE CUTOFF SECTIONS OF PILES FROM THE SITE AND DISPOSE OF LEGALLY ACCORDING TO LOCAL AND STATE REGULATIONS.

**TIMBER PILES:**

1. ROUND TIMBER PILES SHALL BE SOUTHERN PINE AND SHALL CONFORM TO ASTM D 25, BE UNUSED, CLEAN PEELED, UNIFORMLY TAPERED, ONE PIECE FROM BUTT TO TIP, AND HAVE A MIN. TIP DIAMETER OF 10 INCHES.
2. PRESSURE TREATMENT SHALL BE IN ACCORDANCE WITH AWPAC3 AND C18, MARINE PILES.
3. MARINE TIMBER PILES SHALL BE TREATED WITH CCA 2.5 (PRESERVATIVE ASSAY RETENTION REQUIREMENTS).
4. TREAT FIELD CUTS, HOLES, AND OTHER PILE PENETRATIONS WITH FIELD-APPLIED WOOD PRESERVATIVE, IN ACCORDANCE WITH AWPAC4.
5. CONTRACTOR SHALL PROVIDE PILES OF THE TYPE INDICATED AND OF THE LENGTH AND CONFIGURATION NECESSARY TO EXTEND INTO CAPROCK TO THE DEPTH AS SHOWN IN THE PLANS AND AS DIRECTED BY THE ENGINEER.
6. CONTRACTOR IS RESPONSIBLE FOR MEASURING INDIVIDUAL PILES TO DETERMINE APPROPRIATE CAP SIZES.
7. DEVIATION FROM PLUMB AND ANGLE OF BATTER: 1/4 INCH PER FOOT OF PILE LENGTH, BUT NOT MORE THAN 6 INCHES OVERALL. MAX DEVIATION FROM LOCATION OF PILE TOP IS 6 INCHES.
8. WHEN TIMBER PILES ARE CUT OFF, TREAT CUT SURFACES IN ACCORDANCE WITH AWPAC4. REMOVE CUTOFF SECTIONS OF PILES FROM THE SITE AND LEGALLY DISPOSE.

**LUMBER, DECKING, & FASTENERS:**

STRINGERS: 2 x 10

BENTS: 2 x 10

DECKING (WALKWAY): 2 x 6 (1/2 INCH SPACING) OR GRATED DECKING CONTRACTOR TO CONFIRM WITH OWNER.

DECKING (TERMINAL PLATFORM): GRATED DECKING.

1. ALL BENTS AND STRINGERS SHALL BE SOUTHERN PINE NO. 2 OR DOUGLAS FIR NO. 2. LUMBER SHALL BE PRESSURE TREATED PER AWPAC4B SPECIFICATIONS. MINIMUM RETENTION OF CCA SHALL BE 0.60 POUNDS / CUBIC FOOT.
2. ALL DECKING SHALL BE SOUTHERN PINE NO. 1 OR DOUGLAS FIR NO. 1 WITH ROUNDED EDGES. LUMBER SHALL BE PRESSURE TREATED. MINIMUM RETENTION OF ACQ SHALL BE 0.40 POUNDS / CUBIC FOOT.
3. ATTACH DECKING TO EACH STRINGER WITH TWO #10 3" STAINLESS STEEL DECK SCREWS OR TWO 16d RING SHANK STAINLESS STEEL NAILS AT EACH CONNECTION POINT.
4. ATTACH BENTS TO PILING WITH TWO 3/8" STAINLESS STEEL 316 BOLTS, WASHERS, AND NUTS AT EACH CONNECTION POINT. BORE HOLES SHALL BE 1/8" GREATER IN DIAMETER THAN THE BOLT. UPON COMPLETION OF THE INSTALLATION, CHECK ALL NUTS FOR TIGHTNESS.
5. ATTACH STRINGER TO BENT WITH STAINLESS STEEL SIMPSON STRONG-TIE HURRICANE STRAP OR APPROVED EQUAL. ALL CONNECTIONS SHALL BE HEAVY DUTY TYPE FOR MARINE ENVIRONMENT APPLICATIONS.
6. LAY THE PLANKS WITH THE BEST SIDE UP AND WITH ADJACENT EDGES IN CONTACT UNLESS OTHER SPACING IS SPECIFIED.
7. PERFORM COUNTERSINKING WHEREVER THE HEADS OF SCREWS OR BOLTS WOULD OTHERWISE INTERFERE WITH THE ASSEMBLY OF THE WORK.

## KEY COVE LANDINGS LLC

### RESIDENTIAL OBSERVATION PLATFORM PLANS

2861 KEY COVE DRIVE UNIT 5, KEY WEST, FL. 33040

**CONSTRUCTION NOTES****C-6**

Revisions:


**Meridian Engineering, LLC**  
 201 Front Street, Suite 203  
 Key West, Florida 33040  
 AUTHORIZATION #29401  
 ph: 305-293-3263 fax: 293-4899

NOT VALID FOR CONSTRUCTION UNLESS  
 SIGNED AND SEALED IN THIS BLOCK  
 RICHARD J. MILELLI  
 PE #58315

Project No:

Scale:

N.T.S.

CAD File:

Key Cove Obs Platform

Date:

6/23/2020

## Project Design Criteria (PDCs) for Mangroves, Seagrasses, Corals and Hard Bottom for All Projects

Note: For projects authorized in reliance on this Opinion only, the PDCs below supercede any other guidance documents otherwise applicable to reduce or avoid impacts to mangroves, seagrasses, and corals. This includes the NMFS's *Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation, Marsh, or Mangrove Habitat* dated August 2001, and NMFS's *Key for Construction Conditions for Docks or Other Minor Structures Constructed in or over Johnson's Seagrass (Halophila johnsonii)*, dated October 2002. NMFS may still apply these guidance documents in other consultations, including consultations on Essential Fish Habitat under the Magnuson-Stevens Fishery Conservation and Management Act, as appropriate.

### AP.12. Mangroves:

- a) To qualify for coverage under this Opinion, all projects must be sited and designed to avoid or minimize impacts to mangroves.
- b) Mangrove removal must be conducted in a manner that avoids any unnecessary removal and is limited to the following instances:
  - i. Removal to install up to a 4-ft-wide walkway for a dock.
  - ii. Removal to install up to an 8-ft-wide walkway for public docks, where the walkway is necessary to address compliance with the Americans with Disability Act (ADA).
  - iii. Removal to install culverts necessary to improve water quality or restore hydrology between 2 water bodies. Such mangrove removal is limited to a maximum of 20 linear feet (lin ft) of shoreline per culvert opening.
  - iv. Removal of mangroves above mean high water (MHW) provided that the tree does not have any prop roots that extend into the water below the MHWL.
- c) Mangrove Trimming. Mangrove trimming is regulated by FDEP, Puerto Rico Department of Natural and Environmental Resources, and U.S. Virgin Islands Department of Planning and Natural Resources. Consistent with those authorities, when used in this Opinion, mangrove trimming refers to the removal (using hand equipment such as chain saws and/or machetes) of lateral branches (i.e., no alteration of the trunk of the tree) in a manner that ensures survival of the tree. This Opinion does not limit or supersede any restrictions on mangrove removal required under any federal, state, or local law.
  - i. This Opinion only covers projects with associated mangrove trimming occurring waterward of MHW if such trimming (1) occurs within the area where the authorized structures are placed or will be placed (e.g., removal of branches that overhang a dock),
  - ii. (2) is necessary to provide temporary construction access, and (3) is conducted in a manner that avoids any unnecessary trimming.

- iii. The Opinion does not apply to projects proposing to remove red mangrove props roots waterward of MHW, except for removal to install the dock walkways, as described above (up to a 4-ft walkway and up to a 8-ft ADA compliant walkway) and to install culverts necessary to improve water quality or restore hydrology between 2 water bodies.

**AP.13. Seagrass:**

- a) Pile-supported structures must follow the PDCs for *Docks or Other Minor Structures* (PDC A2.17, Section 2.2.2)

**Johnson's seagrass:**

- b) This Opinion does not apply to projects where Johnson's seagrass is found within the project footprint except for:
  - i. Installation of pile-supported structures that meet the PDCs for *Docks or Other Minor Structures* (PDC A2.17, Section 2.2.2).
  - ii. Maintenance dredging of previously authorized areas. This is limited to the removal of no more than 0.1 acre (ac) (4,356 ft<sup>2</sup>) of Johnson's seagrass per year (Activity 3; see Section 2.2.3).
  - iii. Transmission/utility line repairs within the same footprint of the lines being repaired (Activity 8; see Section 2.2.8).

**Non-listed seagrasses:**

- a) All impacts to non-ESA listed native, non-invasive seagrasses should be avoided and minimized to the extent practicable.
- b) This Opinion does not apply to projects located within the geographic boundary of U.S. Caribbean sea turtle critical habitat (hawksbill, leatherback, and the NA DPS of green sea turtle critical habitat identified in Section 2.1.1.5) if non-ESA listed, native, non-invasive seagrasses are found within the project footprint.
- c) This Opinion does not apply to projects that may affect, directly or indirectly, ESA-listed corals.
- d) Projects occurring within in the Florida Keys National Marine Sanctuary (FKNMS) may require separate consultation or authorization from NOAA's FKNMS. Projects authorized to occur in the FKNMS shall comply with any measures NOAA FKNMS has developed to avoid, minimize, and/or mitigate any effects on non-listed corals. For projects occurring outside of the FKNMS, if non-listed corals are found within the project footprint, we recommend relocating all non-listed corals, when possible, in a manner that is protective of the corals.

## Karen DeMaria

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**From:** Karen DeMaria  
**Sent:** Friday, July 23, 2021 3:39 PM  
**To:** Javier Garrido  
**Cc:** Debbie Batty  
**Subject:** RE: [EXTERNAL] Key Cove Landings  
**Attachments:** Tree Permit Application.pdf; Tree Representation Authorization.pdf

The observation deck basically has three different permitting processes, State, Federal, and City. It appears you have the State and Federal permits but not the City. With the City you need a building permit and a tree removal and trimming permit. Mangroves are protected trees under the City Tree Ordinance and as such, as permit is required to remove them to create the deck. The mangroves at the site are considered to be trees even those that are in the trimmed areas (the trimming permit from the State allows them to be maintained at a height of 8 ft measured from substrate). There is no where in the City Code of Ordinances that allow for the removal of trees/mangroves for the construction of docks/decks therefore, the removal of the mangroves to create the deck requires permitting through the Tree Commission.

Yes, you can apply for the permits through my office. I need you to fill out the attached application and authorization form and I will need an approximate number of trees being impacted. Also, someone must attend the Tree Commission meeting. You just missed the application deadline for the August meeting date. The next meeting we are accepting applications is the September 7 meeting. The one application will cover the mangrove removal and the trimming of the buttonwood trees.

If you have any questions, feel free to ask. First step is filling out the application and submitting the forms. I have the information from the building permit application.

Sincerely,

Karen

**From:** Javier Garrido <javier@keywestvacationhomes.com>  
**Sent:** Friday, July 23, 2021 11:02 AM  
**To:** Karen DeMaria <kdemaria@cityofkeywest-fl.gov>  
**Cc:** Debbie Batty <dbatty@historictours.com>  
**Subject:** [EXTERNAL] Key Cove Landings

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Ms. DeMaria and thank you for your help with the trimming of the shoreline at Key Cove Landings. Hopefully we'll get that on track, filed and in process correctly for the future.

While we're on the topic, I want to reach out and see what I can do as the owner's representative to apply for the necessary permits for the trimming and removal of trees for the observation deck, which has been in process and has preliminary federal and state approvals. Can I simply apply to the tree commission? I'll be honest, it would be the first time and could use your help in navigating this process.

Thanks in advance for your time and I look forward to working with you.

Sincerely,

Javier Garrido  
Key West Vacation Homes  
(305) 292-8905 Office  
[KeyWestVacationHomes.com](http://KeyWestVacationHomes.com)



There are some Mangrove "trees" according to the tree lady that are going to be removed and 2 Buttonwoods that are to be trimmed. She was pretty adamant that it needed to go before the Tree Commission. The basic scope of the work is to cut and trim an approximate 4' x 44' swath through the stand of trees from the land side to the outer mangrove waterside fringe to install a State and Federally permitted walkway and observation platform.

This is Mike, we're building the dock. The situation we have is that the tree lady went to the city attorney and they have decided that we need to go before the tree commission, as a mangrove is a tree. We have all the necessary federal and state permits in place to cut the 4' walkway swath from the land to open water but she seems to be disregarding those. She also made the comment that there is no general mangrove trimming permit in place for the property and that somehow impacts our work. This is completely out of our area of expertise. Maybe a meeting with you, her and me at the site could be helpful. Let me know what you think.



# Public Comments

## Karen DeMaria

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**From:** Barbara Meizis <bmeizis@hotmail.com>  
**Sent:** Monday, September 6, 2021 10:20 AM  
**To:** Karen DeMaria  
**Subject:** [EXTERNAL] 2861 key cove dr  
**Attachments:** 20210902\_140820\_resized\_1.jpg; 20210902\_140833\_resized\_1.jpg; 20210902\_141030\_resized\_1.jpg; 20210902\_140850\_resized.jpg

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

Getting right to it. Please do not allow any removal of mangroves or trimming or cutting down any trees in this environmentally sensitive area. The removal of mangroves and/or trees would be detrimental to the waterline along with the creatures that live along this waterline. I have watched for almost 11 years the tide waters coming up higher and higher. I also thought that the state of florida would have to permit this destruction of mangroves and trees thru the florida dept of environmental protection.

Please do not allow a permit for more destruction of our small island's shoreline. BTW, I took the attached photos.

Barbara Meizis  
Key West resident

Happy Connecting. Sent from my Sprint Samsung Galaxy S® 5

**Preserve  
Boundary  
Line**

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**Environmentally  
Sensitive  
Area**



Preserve  
Boundary  
Line  
Environmentally  
Sensitive  
Area



