



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Tree Commission

Tuesday, March 14, 2017

5:00 PM

City Hall

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

Call Meeting To Order

5:00 PM

Roll Call

Absent 2 - Ms. Ludwig O'Leary, and Mr. Mellies II

Present 5 - Ms. Bravo, Mr. Kapsch, Ms. Sullivan, Ms. Robinson, and Mr. Jackson

Pledge of Allegiance to the Flag

Approval of Agenda

Approval of Minutes

1 February 14, 2017

A motion was made by Commissioner Sue Sullivan, seconded by Vice Chair Robin Robinson, that the Minutes be Approved. The motion passed by an unanimous vote.

Tree Canopy Presentation

2 Urban Forestry Tree Canopy Grant Presentation
Represented by: Alison Higgins, City of Key West

Old Business

- 3** 913 & 919 White Street/File# T16-8225 and T17-8348/Bernard Hecht & Timothy Malone and Felix & Juanita Petitt
Represented by: Widerman Malek and Robert Cintron Jr.
Providing an update regarding the Royal Poinciana tree located on 919 White Street that is damaging the wall and gate at 913 White Street. All parties are agreeing to a heavy maintenance trim of the canopy and possible select root pruning (staff approval permit process).
- A motion was made by Vice Chair Robin Robinson, seconded by Commissioner Sue Sullivan, that the Urban Forestry Manager, Ms. DeMaria can "Staff Approve" the Heavy Maintenance Trimming and select root pruning. The motion passed by an unanimous vote.**

New Business

- 4** 1223 Flagler Avenue/File# T17-8270/James Ludwig d/b/a Box Canyon TR. LLC
Requesting approval to remove (1) African tulip tree.
- In accordance with Sec. 110-327, the approval to remove (1) African Tulip tree, to include the replacement of 11.5 caliper inches of approved dicot trees to be planted on site.*
- A motion was made by Commissioner Sue Sullivan, seconded by Commissioner Denise Bravo, that the Action Item be Approved. The motion passed by an unanimous vote.**
- 5** 1116 Truman Avenue/File# T17-8292/Habitat for Humanity of Key West & Lower FL Keys, Inc.
Represented by: Mark Moss
Requesting approval to remove (3) young Royal Poinciana trees in the rear yard in order to expand the existing structure.
- In accordance with Sec. 110-327, the approval to remove (3) young Royal Poinciana trees, to include the replacement of 10.6 caliper inches of approved dicot trees to be planted on site.*
- A motion was made by Vice Chair Robin Robinson, seconded by Commissioner Denise Bravo, that the Action Items be Approved. The motion passed by an unanimous vote.**

- 6 3330 Northside Drive/File# T17-8311/Mariners Cove Apartments Assoc, Ltd.
Represented by: Linda Adams-Quality Lawn Service, Inc
Requesting approval to remove (2) Gumbo Limbo and (2) Mahogany trees for better fire truck access to rear of buildings.
- In accordance with Sec.110-327, the approval to remove (2) Gumbo Limbo and (2) Mahogany trees, to include the replacement of 21.2 caliper inches of approved dicot trees to be planted on site.*
- A motion was made by Commissioner Denise Bravo, seconded by Commissioner Sue Sullivan, that the Action Items be Approved. The motion passed by an unanimous vote.**
- 7 1705 Laird Street/File# T17-8317/Brent & Joanne Teixeira
Represented by: Carl Gilley Landscape Design
Requesting approval to remove (2) Silver Buttonwood trees.
- In accordance with Sec.110-327, the approval to remove (2) Silver Buttonwood trees, to include the replacement of 7.7 caliper inches of approved dicot trees to be planted on site.*
- A motion was made by Commissioner Sue Sullivan, seconded by Commissioner Glenn Kapsch, that the Action Items be Approved. The motion passed by an unanimous vote.**
- 8 1111 16th Terrace/File# T17-8332/John & Christine Hayes
Represented by: Kenneth King
Requesting approval to remove (1) Black Olive tree.
- In accordance with Sec.110-327, the approval to remove (1) Black Olive tree, to include the replacement of 1.2 caliper inches of approved dicot trees to be planted on site.*
- A motion was made by Commissioner Denise Bravo, seconded by Commissioner Glenn Kapsch, that the Action Item be Approved. The motion passed by an unanimous vote.**
- 9 2026 Staples Avenue/File# T17-8333/Charles Newman & Jane Dawkins
Represented by: Kenneth King
Requesting approval to remove (1) Strangler Fig tree.
- In accordance with Sec.110-327, the approval to remove (1) Strangler Fig tree, to include the replacement of 6.3 caliper inches of approved dicot trees to be planted on site.*
- A motion was made by Commissioner Sue Sullivan, seconded by Commissioner Glenn Kapsch, that the Action Item be Approved. The motion passed by an unanimous vote.**

- 10** 1315 Olivia Street/File# T17-8334/Ron Saunders
Represented by: Kenneth King & Michael Ingram
Requesting approval to remove (7) young Royal Poinciana, (3) young Gumbo Limbo, (1) young Strangler Fig, (1) Cherry, and (1) Avocado tree.
- In accordance with Sec.110-327, the approval to remove (7) young Royal Poinciana, (3) young Gumbo Limbo, (1) young Strangler Fig, (1) Cherry, and (1) Avocado tree, to include the replacement of 25.6 caliper inches of approved dicot trees to be planted on site, with at least (1) fruit tree planted.*
- A motion was made by Commissioner Glenn Kapsch, seconded by Commissioner Denise Bravo, that the Action Items be Approved. The motion passed by an unanimous vote.**
- 11** 401 Duval Street/File# T17-8338/Fr. Larry Hopper, St. Paul's Episcopal Church
Represented by: Carl Gilley Landscape Design
Requesting approval to remove (1) damaged Paradise tree.
- In accordance with Sec.110-327, the approval to remove (1) damaged Paradise tree, to include the replacement of 7.5 caliper inches of approved dicot trees to be planted on site.*
- A motion was made by Vice Chair Robin Robinson, seconded by Commissioner Denise Bravo, that the Action Item be Approved. The motion passed by an unanimous vote.**
- 12** 336 Duval Street/File# T17-8339/336 Duval Street LLC
Represented by: Cynthia's Blue Palms LLC
Requesting approval to remove (2) Spanish Lime trees.
- Sec. 110-328, the (2) Spanish Lime trees are a specially protected tree that we must cite.*
- A motion was made by Commissioner Glenn Kapsch, seconded by Vice Chair Robin Robinson, that the Action Item be Denied in accordance with Sec. 110-328. The trees (1) & (2) are protected trees whose location makes them accessible to public view. The motion passed by an unanimous vote.**
- 13** 3717 Eagle Avenue/File# T17-8341/Peter Batty Jr.
Represented by: Cynthia's Blue Palms
Requesting approval to remove (2) Royal Poinciana and (1) Sapodilla tree.
- In accordance with Sec.110-327, the approval to remove (2) Royal Poinciana, and (1) Sapodilla tree, to include the replacement of 41.9 caliper inches of approved dicot trees to be planted on site.*
- A motion was made by Commissioner Denise Bravo, seconded by Vice Chair Robin Robinson, that the Action Items be Approved. The motion passed by an unanimous vote.**

- 14** 1113 Fleming Street/File# T17-8344/Robert & Tanya Easter
Requesting approval to remove (1) Gumbo Limbo tree.
- A motion was made by Commissioner Bravo, seconded by Vice Chair Robinson, that the Action Items be Postponed. The motion passed by the following vote:**
- No:** 1 - Commissioner Kapsch
- Absent:** 2 - Commissioner Ludwig O'Leary, and Commissioner Mellies II
- Yes:** 4 - Commissioner Bravo, Commissioner Sullivan, Vice Chair Robinson, and Chairman Jackson
- 15** Purchasing of Trees
- The Urban Forestry Manager received 3 proposals, and the Commissioners agreed to go with the lowest priced quote, which was Shade Tree/ Getting Green.*
- A motion was made by Vice Chair Robin Robinson, seconded by Commissioner Denise Bravo, that the Action Items be Approved. The motion passed by an unanimous vote.**

Administrative Hearings

- 16** 1212 Packer Street/David Greenberg (Owner)
Respondent: Michael & Sandy Sforza-1210 Packer Street
Alleged Violation: Improper trimming of a mahogany tree. Work done without benefit of a heavy maintenance trimming permit.
- In accordance with Sec. 110-291, The Tree Commission entered a compliance agreement with the respondent to include a settlement fee of \$500.00 for improper trimming of a Mahogany tree with out the benefit of a heavy maintenance permit.*
- A motion was made by Commissioner Glenn Kapsch, seconded by Vice Chair Robin Robinson, that the Compliance Item be Approved. The motion passed by an unanimous vote.**
- 17** 1525 Von Phister Street/Jennifer Rizzo (owner)
Respondent: Daniel Galvan-Island Fence
Alleged Violation: Tree abuse-improper cutting of (1) Spanish Lime and (1) Royal Poinciana tree.
- In accordance with Sec. 110-291 The Tree Commission entered a compliance agreement with the respondent, to include a settlement fee of \$250.00, provide proper training to his staff regarding the regulations and proper trimming, and have a certified arborist inspect the trees after 1 year.*
- A motion was made by Commissioner Denise Bravo, seconded by Vice Chair Robin Robinson, that a Compliance Agreement be Approved. The motion passed by an unanimous vote.**

- 18 621 United Street/Leonardo Welf (owner)
Respondents: Leonardo Welf & Larrie Busloff-Leaping Lizard Tree Service
Alleged Violation: A Frangipani tree was heavily trimmed in excess of an issued permit. The work has destroyed the natural shape of the tree.

In accordance with Sec. 110-291 The Tree Commission entered a compliance agreement with the property owner and the Arborist a settlement fee of \$1000.00, proper training of the Leaping Lizard staff regarding tree regulations and the replacement of the after the fact trimming (now removal) of a regulated tree, replanting with 14.6 caliper inches of approved FL #1 dicot tree from the approved list, to be planted on site.

A motion was made by Vice Chair Robin Robinson, seconded by Commissioner Glenn Kapsch, that the Compliance Agreement be Approved. The motion passed by an unanimous vote.

Urban Forestry Manager's Report

- 19 February Monthly Tree Report
- 20 2016 Annual Tree Report

Assistant City Attorney's Report

Public Comments

Commissioner's Reports

Adjournment

7:15 PM