



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Tree Commission

Tuesday, June 13, 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.

ALL VISUAL PRESENTATIONS FOR AGENDA ITEMS MUST BE RECEIVED (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.

Call Meeting To Order 5:05 PM

Roll Call

Absent 2 - Ms. Sullivan, and Jackson

Present 5 - Ms. Bravo, Mr. Kapsch, Ms. Ludwig O'Leary, Mr. Mellies II, and Ms. Robinson

Pledge of Allegiance to the Flag

Approval of Agenda

The Agenda was approved as presented.

Approval of Minutes

1 May 9, 2017

A motion was made by Commissioner Denise Bravo, seconded by Commissioner Glenn Kapsch, that the Minutes be Approved. The motion passed by an unanimous vote.

Old Business

- 2** 1445 S. Roosevelt Blvd/File# T17-8434/Coconut Mallory Resort-Mike Deeley
Represented by: Jenny Eppy
Requesting approval to remove (1) Laurel Ficus and (1) Gumbo Limbo tree.

Withdrawn

- 3** 2438 Fogarty Avenue/File# T17-8438/Harry & Marla Russell
Represented by: DOT Palm
Requesting approval to remove (1) Guava tree.

A motion was made by Commissioner Bravo in accordance with Section 110-327 to approve the removal of (1) Guava tree. The motion failed due to a lack of a second motion.

A motion was made by Commissioner Ludwig O'Leary, seconded by Commissioner Kapsch, that the Action Item be Denied, In accordance with Sec. 110-328 (1), the species, size, Champion Tree status, historical importance and/or condition of the tree make it a unique or rare specimen. The motion carried by the following vote:

No: 1 - Commissioner Bravo

Absent: 2 - Commissioner Sullivan, and Chairman Jackson

Yes: 4 - Commissioner Kapsch, Commissioner Ludwig O'Leary, Commissioner Mellies II, and Vice Chair Robinson

New Business

- 4** 704 Eaton Street/File# T17-8452/Key West NC LLC
Represented by: Steven Krieger
Requesting approval to remove (2) Cherry trees, (1) Strangler Fig, and (1) Spanish Lime tree.

A motion was made by Commissioner Mellies II, seconded by Commissioner Bravo, in accordance with Sec.110-327, the approval to remove (2) Cherry trees and (1) Strangler Fig tree to include the replacement of 30.8 caliper inches of approved FL #1 dicot or fruit trees to be planted on site and to deny the removal of (1) Spanish Lime Tree In accordance with Sec. 110-328 (1), the species, size, Champion Tree status, historical importance and/or condition of the tree make it a unique or rare specimen. The motion carried by the following vote:

No: 1 - Commissioner Ludwig O'Leary

Absent: 2 - Commissioner Sullivan, and Chairman Jackson

Yes: 4 - Commissioner Bravo, Commissioner Kapsch, Commissioner Mellies II, and Vice Chair Robinson

- 5 724 Fleming Street/File# T17-8458/Richard Fessler
Requesting approval to remove (1) Avocado tree.
- A motion was made by Commissioner Denise Bravo, seconded by Commissioner Neil S. Mellies II, In accordance with Sec.110-327, the approval to remove (1) Avocado tree, to include the replacement of 8.5 caliper inches of approved FL #1 dicot or fruit trees to be planted on site. The motion passed by an unanimous vote.**
- 6 607 Amelia Street/File# T17-8464/Alan Van Wieren
Represented by: Radim Havlicek
Requesting approval to remove (1) Yellow Tabebuia tree.
- A motion was made by Commissioner Neil S. Mellies II, seconded by Commissioner Denise Bravo, In accordance with Sec.110-327, the approval to remove (1) Yellow Tabebuia tree, to include the replacement of 10 caliper inches of approved FL #1 dicot or fruit trees to be planted on site. The motion passed by an unanimous vote.**
- 7 1301 Petronia Street/File# T17-8480/Barbara & Larry Covell
Represented by: Sean Creedon-The Tree Man.
Requesting approval to remove (1) Jamaican Dogwood tree.
- A motion was made by Commissioner Glenn Kapsch, seconded by Commissioner Neil S. Mellies II, In accordance with Sec.110-327, the approval to remove (1) Jamacian Dogwood tree, to include the replacement of 11.3 caliper inches of approved FL #1 dicot or fruit trees to be planted on site. The motion passed by an unanimous vote.**
- 8 912 Georgia Street/File# T17-8489/Peter Batty
Represented by: Nick Downs-A Caring Tree Company
Requesting approval to remove (1) Egg Fruit and (1) Spanish Lime tree.
- A motion was made by Commissioner Neil S. Mellies II, seconded by Commissioner Glenn Kapsch, In accordance with Sec.110-327, the approval to remove (1) Egg Fruit tree and (1) Spanish Lime to include the replacement of 10 caliper inches of approved FL #1 dicot or fruit trees to be planted on site. The motion passed by an unanimous vote.**
- 9 614 Roberts Lane/File# T17-8490/Sherry W. Dorminy
Represented by: Nick Downs-A Caring Tree Company
Requesting approval to remove (2) Avocado trees.
- A motion was made by Commissioner Glenn Kapsch, seconded by Commissioner Karen Ludwig-O'Leary, In accordance with Sec.110-327, the approval to remove (2) Avocado trees, to include the replacement of 18.7 caliper inches of approved FL #1 dicot or fruit trees to be planted on site, to include at least one Avocado tree. The motion passed by an unanimous vote.**

- 10** 744 Windsor Lane/File# T17-8494/Chris Mario
Represented by: Shade Tree Inc.
Requesting approval to remove (1) Avocado and (1) Japanese Fern tree.
- A motion was made by Commissioner Denise Bravo, seconded by Commissioner Glenn Kapsch, In accordance with Sec.110-327, the approval to remove (1) Avocado tree and (1) Japanese Fern, to include the replacement of 24.2 caliper inches of approved FL #1 dicot or fruit trees to be planted on site, to include at least one Avocado tree. The motion passed by an unanimous vote.**
- 11** 1116 Varela Street/File# T17-8502/K. Shawn Harman
Represented by: Kenneth King
Requesting approval to remove (1) Strangler Fig and (1) Gumbo Limbo tree.
- A motion was made by Commissioner Denise Bravo, seconded by Commissioner Glenn Kapsch, In accordance with Sec. 110-328 (1) the species, size, Champion Tree status, historical importance and/or condition of the tree make it a unique or rare specimen that the removal of (1) Strangler Fig tree be denied and In accordance with Sec.110-327, the approval to remove (1) Gumbo Limbo tree, to include the replacement of 14 caliper inches of approved FL #1 dicot or fruit trees to be planted on site. The motion passed by an unanimous vote.**
- 12** 1 Duval Street/File# T17-8503/Ashford Pier House LP
Represented by: Joe Dantoni
Requesting approval to remove (1) Mahogany tree.
- A motion was made by Commissioner Denise Bravo, seconded by Commissioner Neil S. Mellies II, In accordance with Sec.110-327, the approval to remove (1) Mahogany tree, to include the replacement of 12.3 caliper inches of approved FL #1 dicot or fruit trees to be planted on site. The motion passed by an unanimous vote.**
- 13** 1325 Simonton Street/File# T17-8508/Meisel Holdings FL-1321
Simonton Street LLC
Represented by: Cynthia's Blue Palms, LLC
Requesting approval to remove (1) Bottlebrush tree.
- A motion was made by Commissioner Bravo, seconded by Commissioner Kapsch, In accordance with Sec.110-327, the approval to remove (1) Bottle Brush tree, to include the replacement of 19.2 caliper inches of approved FL #1 dicot or fruit trees to be planted on site. The motion carried by the following vote:**
- No:** 1 - Commissioner Ludwig O'Leary
- Absent:** 2 - Commissioner Sullivan, and Chairman Jackson
- Yes:** 4 - Commissioner Bravo, Commissioner Kapsch, Commissioner Mellies II, and Vice Chair Robinson

- 14** Seaside Court N and S/File# T17-8509/Seaside Key West Residences
Represented by: Cynthia's Blue Palms LLC
Requesting approval to remove a total of (15) Mahogany trees from along the perimeter wall next to the stormwater retention pond area.

A motion was made by Commissioner Bravo, seconded by Commissioner Mellies II, in accordance with Sec.110-327, the approval to remove (15) Mahogany trees, to include the replacement of 66.6 caliper inches of approved FL #1 dicot or fruit trees to be planted on site. The motion carried by the following vote:

No: 1 - Commissioner Ludwig O'Leary

Absent: 2 - Commissioner Sullivan, and Chairman Jackson

Yes: 4 - Commissioner Bravo, Commissioner Kapsch, Commissioner Mellies II, and Vice Chair Robinson

- 15** Purchasing of Trees.

A motion was made by Commissioner Denise Bravo, seconded by Commissioner Glenn Kapsch to approve the purchase of Trees, from Blue Native of the Florida Keys for \$13,560.00. The motion passed by an unanimous vote.

Administrative Hearing

- 16** 1 Duval Street/Ashford Pier House LP (owner)
Respondents: Joe Dantoni-Pier House General Manager & Sean Creedon-The Tree Man
Alleged Violation: Removal of (1) Mahogany tree without benefit of a tree removal permit.

A motion was made by Commissioner Neil S. Mellies II, seconded by Commissioner Denise Bravo, in accordance with Sec. 110-291 The Tree Commission entered a compliance agreement with the respondents, for processing an After the Fact Permit to replace 12.1 caliper inches of approved FL #1 dicot or fruit trees to be planted on site by the property owner, and a settlement fee of \$250.00 from the contractor.

Urban Forestry Manager's Report

Assistant City Attorney's Report

Public Comment

Commissioner's Report

Adjournment 6:40 PM