



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### Tree Commission

---

Tuesday, November 12, 2019

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 (POWER POINT ONLY) FOR AGENDA ITEMS MUST BE RECEIVED IN THE CITY CLERK'S OFFICE (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.**

**Call Meeting To Order - 5:04 P.M.**

#### Roll Call

**Absent** 2 - Mr. Mellies II, and Chairman Jackson

**Present** 5 - Ms. Bravo, Ms. Cabanas, Mr. McRAE, Vice Chair Pope, and Mr. Stotts

#### Pledge of Allegiance to the Flag

**Approval of Agenda - The agenda was unanimously approved as amended.**

#### Approval of Minutes

1                      October 8, 2019

**Attachments:**      [Minutes](#)

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

#### Old Business

- 2 916 Elizabeth Street (Chelsea House 2)/T2019-0412/KHP IV Key West LLC and City of Key West  
Represented by: Michael McCoy-New Leaf Environmental  
Requesting approval to remove (1) Tamarind tree.

**Attachments:** [Updated Staff Report](#)  
[Additional Information and Application](#)

**A motion was made by Commissioner Bravo, seconded by Commissioner Cabanas, in accordance with Sec.110-327, to approve the removal of (1) Tamarind tree, at 916 Elizabeth Street to be replaced with 22.5 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:**

**No:** 1 - Commissioner Stotts

**Absent:** 2 - Commissioner Mellies II, and Chairman Jackson

**Yes:** 4 - Commissioner Bravo, Commissioner Cabanas, Commissioner McRAE, and Vice Chair Pope

### **New Business**

- 3 Approval of 2020 Tree Commission Meeting Calendar

**Attachments:** [2020 Tree Commission Meeting Calendar](#)

**A motion was made by Commissioner Denise Bravo, seconded by Commissioner Tonya Cabanas, that the Action Item be Approved. The motion passed by an unanimous vote.**

- 4 1610 South Street/T2019-0460/Andrew Fisher  
Represented by: Tom Simonson  
Requesting approval to remove (1) Oleander tree.

**Attachments:** [Report and Application](#)

**A motion was made by Commissioner Denise Bravo, seconded by Commissioner Misha McRAE, in accordance with Sec.110-327, to approve the removal of (1) Oleander tree, at 1610 South Street to be replaced with 5.7 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by a unanimous vote.**

- 5                    610 Duval Street/T2019-0469/610 Duval LLC-Frank Strafaci  
Represented by: Sean Creedon-Treeman LLC  
Requesting approval to remove (1) Avocado tree and Royal Poinciana tree.

**Attachments:**     [\(LARGE FILE\) Report and Application](#)

**A motion was made by Commissioner Bravo, seconded by Commissioner Cabanas, in accordance with Sec.110-327, to approve the removal of (1)Avocado tree, at 610 Duval Street to be replaced with 11.3 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:**

**No:** 2 - Vice Chair Pope, and Commissioner Stotts

**Absent:** 2 - Commissioner Mellies II, and Chairman Jackson

**Yes:** 3 - Commissioner Bravo, Commissioner Cabanas, and Commissioner McRAE

**A motion was made by Commissioner Bravo, seconded by Commissioner McRAE, in accordance with Sec.110-327, to approve the removal of (1) Royal Poinciana tree, at 610 Duval Street to be replaced with 9.6 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:**

**No:** 1 - Vice Chair Pope

**Absent:** 2 - Commissioner Mellies II, and Chairman Jackson

**Yes:** 4 - Commissioner Bravo, Commissioner Cabanas, Commissioner McRAE, and Commissioner Stotts

- 7                    609 Duval Street/T2019-0471/Old Town Key West Development LTD  
Represented by: Frank Herrada  
Requesting approval to remove (1) Mahogany and (1) Royal Poinciana tree.

**Attachments:**     [\(LARGE FILE\) Report and Application](#)

**A motion was made by Commissioner Denise Bravo, seconded by Commissioner Jeff Stotts, in accordance with Sec. 110-328(1) that the removal of the Mahogany tree at 609 Duval Street be denied due to the species, size, champion tree status, historical importance and/or condition of the tree make it a unique or rare specimen. The motion passed by a unanimous vote.**

**A motion was made by Commissioner Bravo, seconded by Commissioner Cabanas, in accordance with Sec.110-327, to approve the removal of (1) Royal Poinciana tree, at 610 Duval Street to be replaced with 9.1 caliper inches of Royal Poinciana tree. The motion carried by the following vote:**

**No:** 2 - Vice Chair Pope, and Commissioner Stotts

**Absent:** 2 - Commissioner Mellies II, and Chairman Jackson

**Yes:** 3 - Commissioner Bravo, Commissioner Cabanas, and Commissioner McRAE

9

1109 Varela Street/T2019-0472/John Anderson & Kevin Broomell  
Requesting approval to remove (1) Mango tree.

**Attachments:** [Report and Application](#)

A motion was made by Commissioner Cabanas, seconded by Commissioner Bravo, in accordance with Sec.110-327, to approve the removal of (1) Mango tree, at 1109 Varela Street to be replaced with 10.4 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:

**No:** 2 - Vice Chair Pope, and Commissioner Stotts

**Absent:** 2 - Commissioner Mellies II, and Chairman Jackson

**Yes:** 3 - Commissioner Bravo, Commissioner Cabanas, and Commissioner McRAE

10

1007 Thomas Street/T2019-0474/Stephanie Nadeau  
Represented by: Kenneth King  
Requesting approval to remove (1) Royal Poinciana tree.

**Attachments:** [Report and Application](#)

Vice Chair Russell Pope passed the gavel to Commissioner Denise Bravo in order to make a motion, seconded by Commissioner Jeff Stotts, in accordance with Sec. 110-328(1) that the removal of the Royal Poinciana at 1007 Thomas Street be denied due to the species, size, champion tree status, historical importance and/or condition of the tree make it a unique or rare specimen. The motion passed by a unanimous vote.

11

1226 South Street/T2019-0476/Matthew Reed  
Represented by: Kenneth King  
Requesting approval to remove (1) Spanish Stopper and (1) Simpson Stopper.

**Attachments:** [Report and Application](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Cabanas, in accordance with Sec.110-327, to approve the removal of (1) Spanish Stopper tree and (1) Simpson Stopper tree, at 1226 South Street to be replaced with 8.0 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:

**No:** 1 - Commissioner Stotts

**Absent:** 2 - Commissioner Mellies II, and Chairman Jackson

**Yes:** 4 - Commissioner Bravo, Commissioner Cabanas, Commissioner McRAE, and Vice Chair Pope

- 12                    1213 14th Street Lot 224/T2019-0478/Island West  
Investment Corp  
Represented by: Cameron Norris  
Requesting approval to remove (1) Strangler Fig tree.

**Attachments:**     [\(LARGE FILE\) Report and Application](#)

A motion was made by Commissioner Denise Bravo, seconded by Commissioner Tonya Cabanas, in accordance with Sec.110-327, to approve the removal of (1) Strangler Fig tree, at 1213 14th Street to be replaced with 14.4 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by an unanimous vote.

- 13                    101 Front Street Unit 1/T2019-0481/Mike Miltko  
Represented by: John Harrison-DOT Palm  
Requesting approval to remove (1) Strangler Fig tree.

**Attachments:**     [\(LARGE FILE\) Report and Application](#)

A motion was made by Commissioner Denise Bravo, seconded by Commissioner Tonya Cabanas, in accordance with Sec.110-327, to approve the removal of (1) Strangler Fig tree, at 101 Front Street to be replaced with 16.3 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by an unanimous vote.

- 14                    1116 Varela Street/T2019-0483/Shawn & Donna Harman  
Requesting approval to remove (1) Strangler Fig tree.

**Attachments:**     [\(LARGE FILE\) Report and Application](#)

Vice Chair Russell Pope passed the gavel to Commissioner Denise Bravo in order to make a motion, seconded by Commissioner Jeff Stotts, in accordance with Sec. 110-328(1) and (2) that the removal of the Strangler Fig at 1116 Varela Street be denied due to the species, size, champion tree status, historical importance, location and/or condition of the tree make it a unique or rare specimen. The motion carried by the following vote:

**No:** 1 - Commissioner Cabanas

**Absent:** 2 - Commissioner Mellies II, and Chairman Jackson

**Yes:** 4 - Commissioner Bravo, Commissioner McRAE, Vice Chair Pope, and Commissioner Stotts

- 15                    601 Caroline Street/T2019-0485/KHP IV Key West LLC  
Represented by: John Cole-Shade Tree Inc  
Requesting approval to remove (1) Avocado, (1) Jatropha,  
and (1) Frangipani tree.

**Attachments:**     [\(LARGE FILE\) Report and Application](#)

A motion was made by Commissioner Bravo, seconded by Commissioner McRAE, in accordance with Sec.110-327, to approve the removal of (1) Avocado tree, (1) Jatropha tree, and (1) Frangipani tree at 601 Caroline Street to be replaced with 19.0 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:

**No:** 2 - Vice Chair Pope, and Commissioner Stotts

**Absent:** 2 - Commissioner Mellies II, and Chairman Jackson

**Yes:** 3 - Commissioner Bravo, Commissioner Cabanas, and Commissioner McRAE

- 16                    420 Grinnell Street/T2019-0490/William & Brandi Shapiro  
Represented by: Kenneth King  
Requesting approval to remove (3) Japanese Blueberry  
trees.

**Attachments:**     [\(LARGE FILE\) Report and Application](#)

A motion was made by Commissioner Denise Bravo, seconded by Commissioner Tonya Cabanas, in accordance with Sec.110-327, to approve the removal of (3) Japanese Blueberry trees, at 420 Grinnell Street to be replaced with 14.1 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by an unanimous vote.

- 17                    Review of Heritage Tree Applications

**Attachments:**     [2019 Applications List](#)

Postponed

## Administrative Hearing

- 18 1900 and 1908 Flagler Avenue/1900 Flagler Avenue-Geary Management Company, Inc (Shanna Key-owner) and 1908 Flagler Avenue Corp (owner)  
Respondent: Geary Management Company, Inc  
The topping of (8) dicot trees including Strangler Fig and Jamaican Dogwood trees, without benefit of a tree removal or heavy maintenance trimming permit.

**Attachments:**    [\(LARGE FILE\) Administrative Notice and Staff Report](#)  
                              [\(LARGE FILE\) Updated Staff Report](#)  
                              [Update Administrative Hearing Notice](#)

A motion was made by Commissioner Jeff Stotts, seconded by Commissioner Denise Bravo, in accordance with Sec. 110-291, that the City of Key West enter into a compliance settlement agreement with the respondent for the topping of (8) dicot trees including Strangler Fig and Jamaican Dogwood trees without benefit of a permit. The respondent was given permission to remove the topped trees and he agreed to replant 55.3 caliper inches of approved dicot trees, FL#1, from approved list, to be planted onsite. The motion passed by a unanimous vote.

- 19 Mallory Square/City of Key West (owner)  
Respondent: PAC Comm, Inc  
One Coconut Palm was removed without benefit of a tree removal permit and (1) Gumbo Limbo tree was severely damaged by machinery during construction activities (tree abuse).

**Attachments:**    [Notice and Report](#)

A motion was made by Commissioner Denise Bravo, seconded by Commissioner Jeff Stotts, to find that (1) Coconut Palm tree was removed without benefit of a tree removal permit and (1) Gumbo Limbo tree was irreparably damaged by machinery during construction activities (tree abuse) at Mallory Square and that payment withheld by the City Engineering Department in the amount of \$4,617.50 for the tree issues do satisfy the complaint. The motion passed by an unanimous vote.

- 20                    257 Margaret Street (Key West Historic Seaport)/City of Key West (owner)  
Respondent: Sea Tech of the Florida Keys, Inc.  
Several trunks in (2) Christmas Palm clumps were damaged during construction activities (tree abuse).

Attachments:    [Hearing Notice](#)  
                          [Staff Report](#)

A motion was made by Commissioner Jeff Stotts, seconded by Commissioner Denise Bravo, in accordance with Sec. 110-291, that the City of Key West enter into a compliance settlement agreement with the respondent, for several trunks in (2) Christmas Palm clumps were damaged during construction activities (tree abuse) at 257 Margaret Street without benefit of a permit. The respondent agreed to plant 4 Thatch Palms 6-8 feet tall in the area as outlined on the staff report. The motion passed by an unanimous vote.

## Reports

- 21                    Urban Forestry Manager's Report

Attachments:    [Monthly Report](#)

Received and Filed

## Assistant City Attorney's Report

## Public Comments

## Commissioner Comments

## Adjournment - 7:11 P.M.