



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Tree Commission

Monday, June 7, 2021

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 - 5:00 P.M.

Roll Call

Absent 2 - Commissioner Bravo, and Commissioner Cabanas

Present 5 - Commissioner Brown, Commissioner Cullen, Commissioner Cunningham, Commissioner Pope, and Commissioner McRAE

Pledge of Allegiance to the Flag

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

Approval of Minutes

1 May 11, 2021

Attachments: [Minutes](#)

A motion was made by Commissioner Cunningham, seconded by Commissioner Cullen, that the Minutes be Approved. The motion passed by unanimous vote.

Action Items

- 2 1609 & 1613 Duncan Street/T2021-0075/Luanne Doughtry
& William James Andrews II
Requesting clarification regarding mitigation requirements
on issued tree removal permit.

Attachments: [Report](#)

A motion was made by Commissioner Cunningham, seconded by Vice Chair Pope, that the request to move the mitigation inches from 1609 and 1613 Duncan Street to be 100% responsibility of 1613 Duncan Street be Approved. The motion carried by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Cabanas

Yes: 5 - Commissioner Brown, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

- 3 1219 Eliza Street/T2021-0108/Mark & Judy Tomczak and
the City of Key West
Represented by: Kenneth King
Requesting approval to remove (1) Royal Poinciana tree
located on the property line and the City right of way.

Attachments: [Application and Report](#)

A motion was made by Vice Chair Pope, seconded by Commissioner Cullen, that in accordance with Sec.110-327, to Approve the removal of (1) Royal Poinciana tree, at 1219 Eliza Street to be replaced with another Royal Poinciana tree on City Right of Way, preferably on Eliza Street. The motion carried by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Cabanas

Yes: 5 - Commissioner Brown, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

- 4 2800 N. Roosevelt Blvd/T2021-0137/Overseas Market
Retail LLC
Represented by: Scott Montgomery-Native Landscape
Design
Requesting approval to remove (1) Green Buttonwood tree.

Attachments: [Application and Report](#)

Withdrawn

- 5 324 Virginia Street/T2021-0140/John Lykins
 Represented by: Larrie Busloff
 Requesting approval to remove (1) Chinaberry tree.

Attachments: [Application and Report](#)

A motion was made by Commissioner Cunningham, seconded by Commissioner Cullen, in accordance with Sec.110-327, to Approve the removal of (1) Chinaberry tree, at 324 Virginia Street to be replaced with 12.2 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:

Absent: 2 - Commissioner Bravo, and Commissioner Cabanas

Yes: 5 - Commissioner Brown, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

- 6 1319 William Street & 1316 Royal Street/TP2021-0002
 Represented by: Trepanier & Associates, Inc
 Requesting Final Landscape Plan approval with tree
 removal to include the removal of (14) Jamaican Caper, (8)
 Small Leaf Clusia, (7) Gumbo Limbo, (3) Red Coco Plum,
 (2) Satinleaf, (2) Silver Buttonwood, (1) Fiddlewood, (1)
 Frangipani, (1) Mahogany, (1) Raintree, (1) Sweet Acacia,
 (1) White Stopper trees, (3) Christmas Palms, (2)
 Washingtonian Palms, (1) Fiji Fan Palm, and (1) Royal Palm.
 The major development plan also proposes to transplant (7)
 Florida Thatch Palms, (3) Keys Thatch Palms, and (2)
 Christmas Palms.

Attachments: [Staff Report](#)
 [Conceptual Landscape Plan Approval Document](#)
 [Application](#)

A motion was made by Commissioner Cunningham, seconded by Vice Chair Pope, that the Landscape Plan for 1319 William Street and 1316 Royal Street be Approved. The motion carried by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Cabanas

Yes: 5 - Commissioner Brown, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

7 1414 Albury Street/T2021-0151/City of Key West & Nathan Gubin

Represented by: Karen DeMaria

Requesting approval to remove (1) Gumbo Limbo tree located on the property line and the city right of way.

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

A motion was made by Commissioner Cunningham, seconded by Commissioner Cullen, that in accordance with Sec.110-327, to Approve the removal of (1) Gumbo Limbo tree, at 1414 Albury Street to be replaced with 17.8 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on City Right of Way or another City location. The motion carried by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Cabanas

Yes: 5 - Commissioner Brown, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

8 322 & 324 Truman Avenue/TP2021-0003/TDGroup Truman Ave LLC

Represented by: Smith Hawks

Requesting Conceptual Landscape plan approval with tree removal to include the removal of (8) Spanish Lime trees and (1) Coconut Palm.

Attachments: [\(LARGE FILE\) Staff Report](#)

[Updated Application](#)

[TD Group Tree Commission Presentation \(00236730-2xDBB48\)](#)

A motion was made by Commissioner Cunningham, seconded by Commissioner Cullen, that in accordance with Sec.110-327, to Approve the Conceptual Landscape Plan and removal of trees as presented (8 Spanish Lime and 1 Coconut Palm) at 322 & 324 Truman Avenue to be replaced with 25.3 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:

Absent: 2 - Commissioner Bravo, and Commissioner Cabanas

Yes: 5 - Commissioner Brown, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

- 9 100 Grinnell Street/T2021-0156/City of Key West-Port Operations
Represented by: Joseph Scarpelli-WP Horn Architects & Ladd Roberts-Landwise Design
Requesting approval to remove (2) Spanish Stoppers, (2) Blolly, (1) Jamaican Caper, (6) Sabal Palms, and (1) Royal Palm and the review and approval of an updated and improved landscape plan for the area.

Attachments: [Staff Report](#)
[Updated Application](#)

A motion was made by Vice Chair Pope, seconded by Commissioner Cullen, that in accordance with Sec.110-327, to approve the removal and replacement of plantings (2 Spanish Stoppers, 2 Blolly, 1 Jamaican Caper, 6 Sabal Palms, and 1 Royal Palm) at 100 Grinnell Street to be replaced with 12.6 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site as well as approval of the updated Landscape Plan. The motion carried by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Cabanas

Yes: 5 - Commissioner Brown, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

Administrative Hearings

- 10 1301 1st Street/TC2021-0001/Charles & Carmela Wicht
Respondent: Charles Wicht
The unauthorized removal of (4) Gumbo Limbos and (1) Pigeon Plum tree without benefit of a tree removal permit

Attachments: [Notice and Report](#)

A motion was made by Vice Chair Pope, seconded by Commissioner Cullen, that in accordance with Sec. 110-291, to combine the two litigation cases (TC2021-0001 - unauthorized removal of 4 Gumbo Limbos, 1 Pigeon Plum without benefit of tree removal permit and TC20201-0004 compliance with Settlement Agreement and issued tree removal permit of January 2019) and come to an agreement where respondent agrees to replace a total of 80 caliper inches of trees as donations to the City. The motion carried by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Cabanas

Yes: 5 - Commissioner Brown, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

- 11 1301 1st Street/TC2020-0014/Charles Wicht
Respondent: Charles Wicht
Discussion of compliance with Settlement Agreement and issued tree removal permit of January 2019.
- Attachments: [File Documents](#)
- Combined with previous item - TC2021-001
- 12 500 White Street/TC2021-0004/Arif Khadija Akhter D. & Mannan Mohammed Abdul-Sunbeam Grocery
Respondents: Sunbeam Grocery and Roberto Chavez-RC Construction Services, Inc
The unauthorized removal of (2) Sandelwood trees without benefit of a tree removal permit and the improper trimming of (1) Royal Poinciana tree located on the property line with 1118 Fleming Street.

Attachments: [Administrative Notice #2](#)
[Administrative Notice #1](#)
[Staff Report](#)
[Additional Information](#)

A motion was made by Commissioner Cunningham, seconded by Vice Chair Pope, that in accordance with Sec. 110-291, for the re-planting of trees on the subject property (500 White Street) of FL#1 dicot or fruit trees from the approved list up to 12 (caliper) inches that were removed as well as a \$500 fine for no permit. The motion carried by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Cabanas

Yes: 5 - Commissioner Brown, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

Urban Forestry Manager's Report

Assistant City Attorney's Report

Public Comments

Commissioner Comments

Adjournment - 6:38 P.M.