



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Tree Commission

Tuesday, July 13, 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.

Call Meeting To Order - 5:00 P. M.

Roll Call

Absent 1 - Commissioner Cabanas

Present 6 - Commissioner Bravo, 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 June 7, 2021

Attachments: [Minutes](#)

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

Action Items

- 2 411 Caroline Street/T2021-0160/411 Caroline
 LLC-Downtown Parking Corporation
 Represented by: Kenneth King
 Requesting approval to remove (3) Strangler Fig and (1)
 Woman's Tongue tree.

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

A motion was made by Commissioner Bravo, seconded by Commissioner Cunningham, in accordance with Sec.110-327, to approve the removal of (3) Strangler Figs and (1) Woman's Tongue tree, at 411 Caroline Street to be replaced with 50" 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.

- 3 1506 Catherine Street/T2021-0161/Jose Carlos Rodriguez
 Represented by: Kenneth King
 Requesting approval to remove (1) Strangler Fig, (1) Laurel
 Fig, and (1) Gumbo Limbo tree.

Attachments: [Report and Application](#)

A motion was made by Vice Chair Pope, seconded by Commissioner Cullen, in accordance with Sec.110-327, to approve the removal of (1) Strangler Fig, (1) Laurel Fig and (1) Gumbo Limbo tree, at 1506 Catherine Street to be replaced with 17.8" caliper inches of dicot or fruit trees from the approved list and to include at least (1) Gumbo Limbo tree, to be planted on site. The motion carried by the following vote:

Absent: 1 - Commissioner Cabanas

Yes: 6 - Commissioner Bravo, Commissioner Brown, Commissioner Cullen,
 Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

- 4 WITHDRAWN BY APPLICANT
 1122 Whitehead Street/T2021-0163/Tropical Properties
 LLC
 Represented by: Michelle Puckett and Brenda Donnelly
 Requesting approval to remove (1) Silver Buttonwood tree.

Withdrawn

- 5 2904 Staples Avenue/T021-0169/Eric Brown
Requesting approval to remove (1) Calabash tree.

Attachments: [Report and Application](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Cunningham, in accordance with Sec.110-327, to approve the removal of (1) Calabash Tree, at 2904 Staples Avenue to be replaced with 4.6" 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:

Recuse: 1 - Commissioner Brown

Absent: 1 - Commissioner Cabanas

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

- 6 2904 Staples Avenue ROW/T2021-0182/City of Key West
Represented by: Eric Brown and Karen DeMaria
Requesting approval to remove (1) Calophyllum and (1)
Almond tree growing on the 11th Street right of way.

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

A motion was made by Commissioner Cunningham, seconded by Commissioner Bravo, in accordance with Sec.110-327, to approve the removal of (1) Calophyllum and (1) Almond Tree, at 2904 Staples Avenue at the 11th Street right of way to be replaced with 14.9" caliper inches of dicot or fruit trees from the approved list, to include at least (1) Canopy tree, to be planted on site. The motion carried by the following vote:

Recuse: 1 - Commissioner Brown

Absent: 1 - Commissioner Cabanas

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

- 7 3820 Duck Avenue/T2021-0171/Eva Limbert
Represented by: Jaime Trujillo-Island Scapes
Requesting approval to remove (1) Gumbo Limbo tree.

Attachments: [Report and Application](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Cullen, in accordance with Sec.110-327, to approve the removal of (1) Gumbo Limbo tree, at 3820 Duck Avenue to be replaced with 12.1" 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: 1 - Commissioner Cabanas

Yes: 6 - Commissioner Bravo, Commissioner Brown, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

8

411 Louisa Street/T2021-0172/Joan & Susan Sikich
Requesting approval to remove (1) Crabwood tree.

Attachments: [Report and Application](#)

A motion was made by Commissioner Bravo, seconded by Vice Chair Pope, in accordance with Sec.110-327, to approve the removal of (1) Crabwood tree, at 411 Louisa to be replaced with 3.8" 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: 1 - Commissioner Cabanas

Yes: 6 - Commissioner Bravo, Commissioner Brown, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

9

1127 Johnson Street/T2021-0175/Alexander Baer
Represented by: Kenny Weschler
Requesting approval to remove (1) Calophyllum tree.

Attachments: [Report and Application](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Brown, in accordance with Sec.110-327, to approve the removal of (1) Calophyllum tree, at 1127 Johnson Street to be replaced with 6.4" 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: 1 - Commissioner Cunningham

Absent: 1 - Commissioner Cabanas

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

10 522 Porter Lane/T2021-0180/Jam Keys Venture LLC-Jean W. Churan, DVM

Represented by: Theresa Evans

Requesting approval to remove (1) Laurel Fig tree.

Attachments: [Update Report and Application](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Cunningham, in accordance with Sec.110-327, to approve the removal of (1) Laurel Fig tree, at 522 Porter Lane to be replaced with 9.2" 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:

No: 1 - Vice Chair Pope

Absent: 1 - Commissioner Cabanas

Yes: 5 - Commissioner Bravo, Commissioner Brown, Commissioner Cullen, Commissioner Cunningham, and Chairman McRAE

11 714 Thomas Street/T2021-0186/Bahama Gardens LTD-Sтивен Justi

Represented by: John Hartman

Requesting approval to remove (1) Royal Poinciana tree located at 708 Thomas Street.

Attachments: [Report and Application](#)

A motion was made by Vice Chair Pope, seconded by Commissioner Brown, in accordance with Sec.110-327, to approve the removal of (1) Royal Poinciana Tree, at 708 Thomas Street to be replaced with 11.7" caliper inches of dicot or fruit trees from the approved list, to include (1) Royal Poinciana tree, to be planted on site. The motion carried by the following vote:

Absent: 1 - Commissioner Cabanas

Yes: 6 - Commissioner Bravo, Commissioner Brown, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

12 WITHDRAWN BY APPLICANT
704 Eaton Street/T2021-0200/EYW LLC-Todd Turner
Represented by: Cynthia Domenech-Coogle-Cynthia's Blue Palms LLC
Requesting approval to remove (1) Spanish Lime tree.

Withdrawn

- 13 613-631 Greene Street/T2021-0202/City of Key West
Represented by: Karen DeMaria
Requesting the removal of (1) Strangler Fig tree located in
the rear of the 613 Greene Street parking area.

Attachments: [Report and Application](#)

A motion was made by Commissioner Cunningham, seconded by Commissioner Bravo, in accordance with Sec.110-327, to approve the removal of (1)Strangler Fig tree, at 613 Greene Street (rear) 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 carried by the following vote:

Absent: 1 - Commissioner Cabanas

Yes: 6 - Commissioner Bravo, Commissioner Brown, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

Administrative Hearing

- 16 805 Olivia Street/TC2021-0005
Respondent: Divoll Construction Inc
The roots of (1) Strangler Fig tree growing on the property
line with 811 Olivia Street have been cut during the
installation of utilities without benefit of a tree trimming
permit.

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

A motion was made by Vice Chair Pope, seconded by Commissioner Bravo, that in accordance with Sec. 110-291, that the City of Key West enter into a compliance settlement agreement with Divoll Construction Inc, regarding the cutting of the tree roots without a permit. The tree shall be watered to encourage root growth. The contractor shall hire a certified arborist to trim tree within 2 months. The owner of the tree and the urban forestry manager shall be consulted on the trimming work. The tree shall be re-evaluated and trimmed 1-2 years after initial trim. The motion passed by a unanimous vote.

Absent: 1 - Commissioner Cabanas

Yes: 6 - Commissioner Bravo, Commissioner Brown, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

- 15 1011 Catherine Street/TC2021-0006/Michael Nagy
Respondent: Michael Nagy & Mark Thompson
Several improper cuts were made to the main trunk and
branches of an avocado tree during installation of a fence.

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

A motion was made by Commissioner Bravo, seconded by Commissioner Cunningham, that in accordance with Sec. 110-291, that the City of Key West enter into a compliance settlement agreement with the property owner for improper cuts to an avocado tree during installation of a fence. The property owner agreed to remove and replace avocado tree with (3) 1 inch caliper, 8 foot tall approved dicot trees, FI#1, from approved list, to be planted on site. The motion carried by the following vote:

No: 1 - Vice Chair Pope

Absent: 1 - Commissioner Cabanas

Yes: 5 - Commissioner Bravo, Commissioner Brown, Commissioner Cullen, Commissioner Cunningham, and Chairman McRAE

Action Items

- 16 1115 Casa Marina Court/T2021-0167/ACS Harbour Place
216 LLC-Kristen Smith
Represented by: Jan Basil
Requesting approval to remove (1) Royal Poinciana tree

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

A motion was made by Commissioner Cullen, seconded by Vice Chair Pope, that the Action Items be Tabled to the end of the meeting. The motion passed by unanimous vote.

A motion was made by Commissioner Bravo, seconded by Vice Chair Pope, that the Action Items be Postponed to August 10, 2021. The motion passed by unanimous vote.

- 17 1409 Albury Street/T2021-0201/Siok Irrevocable Family Trust-Drew Siok
Requesting approval to remove (1) Gumbo Limbo tree.

Attachments: [Report and Application](#)

A motion was made by Commissioner Bravo, seconded by Vice Chair Pope, that the Action Item be tabled to end of the meeting. The motion passed by unanimous vote.

A motion was made by Commissioner Bravo, seconded by Vice Chair Pope, that the Action Item be postponed with the stipulation that an authorization form must be received by the Urban Forestry Manager within 3 months or the item will be placed back on the agenda. The motion passed by unanimous vote.

Reports

- 18 Urban Forestry Manager's Report

Attachments: [June 2021 TC Monthly Report](#)

Received and Filed

Assistant City Attorney's Report

Public Comments

Commissioner Comments

Adjournment - 6:50 P.M.