



**THE CITY OF KEY WEST
Tree Commission**

Post Office Box 1409 Key West, FL 33041-1409
Telephone: 305-809-3725

**NOTICE OF ADMINISTRATIVE HEARING
BEFORE THE TREE COMMISSION OF THE CITY OF KEY WEST**

December 19, 2023

Tree Commission
City of Key West
Petitioner,

Vs.

Baltazar Reyes
28291 Dorothy Avenue
Little Torch Key, FL 33042

Sunshine Realty Key West LLC
c/o Castro Construction

An administrative hearing before the Tree Commission for the City of Key West will be held on **Tuesday, January 2, 2024**, at 5:00 p.m., at **Josephine Parker City Hall at Historic Glynn R. Archer School, 1300 White Street, Key West, Florida.**

This hearing will be conducted pursuant to sections 110-288 et. seq. of the Key West City Code. The purpose of this hearing will be to determine if a code violation has been committed by the above named Respondent. **Your presence is required at this Tree Commission meeting.**

Date of alleged violation: prior to December 6, 2023 at 1501 South Street, Key West, FL:

Sec. 110-256. Tree abuse.

- (b) *Prohibited acts.* A tree shall be considered abused if a person takes an action so that one of the following occurs:
- (1) Significant damage has been inflicted upon any part of a tree, including the root system, by machinery, storage of materials, soil compaction, excavation, vehicle accidents, chemical application or change to the natural grade.
- (c) *Additional prohibitions.*
- (1) No private property owner or agent shall damage, cut, or carve any tree or tree root located on the owner's property; or allow any liquid, solid or biological substance that is harmful to trees to be placed within the dripline.

Sec. 110-321. Required.

- (a) Unless a tree removal permit approved by the tree commission and issued by the Urban Forestry Manager has been obtained, no person, whether on publicly or privately owned land, shall cause tree abuse or other harm, or major maintenance to, hatracking, transplanting, topping or removal of the following:
- (1) Any tree listed as "specially protected" in section 110-253;

Key to the Caribbean – average yearly temperature 77 ° Fahrenheit.

Factual allegation: Primary roots of (1) protected Sapodilla, (1) Tropical Almond, and (1) protected Sea Grape tree have been cut without benefit of a root pruning permit or review by the urban forestry manager.



If the Tree Commission for the City of Key West finds that there has been a violation of the above code section, it will elect to enter into a compliance settlement agreement pursuant to section 110-291 of the Key West City Code or recommend a fine and further hearing before the Special Master of the City of Key West pursuant to section 110-294 of the Key West City Code.

Attendees are hereby notified that a complete and accurate record of the proceeding is required under Florida Statute 286.0105 if an appeal is sought. Appellants are responsible for providing transcription services.

I hereby certify that the forgoing notice has been hand delivered to the Respondent and has been sent via regular mail, and certified U.S. Mail to the property owner and hand delivered to the property contractor on this **20th day of December 2023**.

If you have any questions, please call the office at (305) 809-3768.


Karen DeMaria
Urban Forestry Manager
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