



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### Tree Commission

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Tuesday, April 15, 2025

5:00 PM

City Hall

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**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.

**FOR VISUAL PRESENTATIONS:** For City Commission meetings the City Clerk's Office will need a copy of all presentations for the agenda at least 7 days before the meeting.

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

#### Roll Call

**Absent** 2 - Commissioner Cabanas, and Vice Chair Pope

**Present** 5 - Commissioner Cullen, Commissioner Cunningham, Commissioner Henriquez, Commissioner Johnson, and Chairman McRAE

#### Pledge of Allegiance to the Flag

#### Approval of Agenda

*The agenda was unanimously approved as presented*

#### Administering the Oath by the Clerk of the Commission

#### Approval of Minutes

1 March 18, 2025

A motion was made by Commissioner Cullen, seconded by Commissioner Henriquez, to approve the Minutes. The motion passed unanimously.

#### New Business

2 3380 Donald Ave/ T2025-0041/ City of Key West  
Represented by Matt Willman - City of Key West

Requesting approval to remove (1) Strangler Fig Tree.

A motion was made by Commissioner Henriquez, seconded by Commissioner Cullen, in accordance with Sec. 110-327, to approve the removal of (1) Strangler Fig tree, at 3380 Donald Avenue to be replaced with 19.4 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

1230 South St/ T2025-0040/ Jill Shaffer

Requesting approval to remove (2) Mahogany Trees.

A motion was made by Commissioner Johnson, seconded by Commissioner Cunningham, in accordance with Sec. 110-327, to approve the removal of the first smaller Mahogany tree, at 1230 South Street to be replaced with 3.6 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.

A motion was made by Commissioner Cunningham, seconded by Commissioner Cullen, in accordance with Sec.110-327, to approve the removal of the second larger Mahogany tree, at 1230 South Street to be replaced with 7.1 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by the following vote:

**No:** 1 - Commissioner Johnson

**Absent:** 2 - Commissioner Cabanas, and Vice Chair Pope

**Yes:** 4 - Commissioner Cullen, Commissioner Cunningham, Commissioner Henriquez, and Chairman McRAE

4

1215 Georgia St/ T2025-0038/ Edward Flynn

Represented by Clifton Turner - Shorty's Tree and Lawn Care LLC

Requesting approval to remove (1) Mahogany Tree.

A motion was made by Commissioner Henriquez, seconded by Commissioner Cullen, in accordance with Sec.110-327, to approve the removal of (1) Mahogany tree, at 1215 Georgia Street to be replaced with 7.8 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by the following vote:

**No:** 1 - Commissioner Cunningham

**Absent:** 2 - Commissioner Cabanas, and Vice Chair Pope

**Yes:** 4 - Commissioner Cullen, Commissioner Henriquez, Commissioner Johnson, and Chairman McRAE

5

1220-1222 Seminary St/ T2025-0039/ Edward Flynn

Represented by Clifton Turner - Shorty's Tree and Lawn Care LLC

Requesting approval to remove (1) Mango Tree.

A motion was made by Commissioner Cunningham, seconded by Commissioner Cullen, in accordance with Sec. 110-328(1) that the removal of the Mango tree, at 1220-1222 Seminary 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.

- 6                    1214 Laird St/ T2025-0043/ Michele Miano  
Represented by Clifton Turner - Shorty's Tree and Lawn  
Care LLC  
Requesting approval to remove (4) Beautyleaf Trees.
- A motion was made by Commissioner Henriquez, seconded by Commissioner Cullen, in accordance with Sec.110-327, to approve the removal of (4) Beautyleaf trees, at 1214 Laird Street to be replaced with 29.9 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.

- 7                    1019 South St/ T2025-0068/ Paul Stohner  
Represented by Clifton Turner - Shorty's Tree and Lawn  
Care LLC  
Requesting approval to remove (1) Gumbo Limbo and (1)  
Royal Poinciana.
- A motion was made by Commissioner Cunningham, seconded by Commissioner Cullen, in accordance with Sec.110-327, to approve the removal of (1) Gumbo Limbo tree and (1) Royal Poinciana tree, at 1019 South Street to be replaced with 40.7 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.

- 8                    WITHDRAWN BY APPLICANT: 1424 White St/  
T2025-0050/ Rory O'Connor  
Represented by Sean Creedon - Treeman  
Requesting approval to remove (1) Sapodilla Tree.
- Withdrawn

- 9                    1424-1428 White St/ T2025-0051/ Rory O'Connor and  
Rocky Joiner  
Represented by Sean Creedon - Treeman  
Requesting approval to remove (1) Sapodilla Tree.
- A motion was made by Commissioner Cunningham, seconded by Commissioner Henriquez, in accordance with Sec.110-327, to approve the removal of (1) Sapodilla tree, at 1424-1428 White Street to be replaced with 18.1 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.

- 10                   630 Mickens Ln/ T2025-0067/ 631 Thomas Associates,

LLC

Represented by Sean Creedon - Treeman

Requesting approval to remove (1) Sapodilla Tree, (1) Spanish Lime Tree, and (1) Tropical Almond Tree.

A motion was made by Commissioner Cunningham, seconded by Commissioner Cullen, that in accordance with Sec. 110-328(2) that the removal of (1) Sapodilla tree, (1) Spanish Lime tree, and (1) Tropical Almond tree, at 630 Mickens Lane be denied due to the size or location of the tree makes it substantial in and easily accessible to public view with the caveat that should the property owner submit plans for construction the request could be reconsidered at a later date. The motion passed by a unanimous vote.

11

1527 Flagler Ave/ T2025-0062/ King Holdings II of Key West, LLC

Represented by Kenneth King

Requesting approval to remove (1) Silver Buttonwood Tree and (1) Gumbo Limbo Tree.

A motion was made by Commissioner Cunningham, seconded by Commissioner Cullen, in accordance with Sec.110-327, to approve the removal of (1) Silver Buttonwood tree and (1) Gumbo Limbo tree, at 1527 Flagler Avenue to be replaced with 15.8 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.

12

1911 Seidenberg Ave/ T2025-0060/ Ralph and Kathryn Bowden

Represented by Kenneth King

Requesting approval to remove (1) Royal Poinciana Tree.

A motion was made by Commissioner Henriquez, seconded by Commissioner Cullen, in accordance with Sec.110-327, to approve the removal of (1) Royal Poinciana tree, at 1911 Seidenberg Avenue to be replaced with 15.4 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.

13

3808 Eagle Ave/ T2025-0059/ Robert Mongelli

Represented by Kenneth King

Requesting approval to remove (1) Breadfruit Tree, (1) Hogplum Tree, (1) Silkfloss Tree and (1) Tiesa/ Eggfruit Tree.

A motion was made by Commissioner Cunningham, seconded by Commissioner Cullen, in accordance with Sec.110-327, to approve the removal of (1) Silkfloss tree and (1) Tiesa/Eggfruit tree, at 3808 Eagle Avenue to be replaced with 24.9 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.

- 14                    417 Olivia St/ T2025-0058/ Marine Key West, LLC  
Represented by Kenneth King  
Requesting approval to remove (1) Royal Poinciana Tree.
- A motion was made by Commissioner Henriquez, seconded by Commissioner Cunningham, in accordance with Sec.110-327, to approve the removal of (1) Royal Poinciana tree, at 417 Olivia Street to be replaced with 10.5 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.
- 15                    1671 Dunlap Dr/ TP2025-0003/ Housing Authority of the  
City of Key West, Florida  
Represented by Gavin Scarbrough  
Requesting Conceptual Landscape Plan Approval to  
include the removal of (3) Royal Poincianas, (5) Jamaican  
Dogwoods, (1) Strangler Fig, ~~(2)~~ (3) Buttonwoods, (3)  
Gumbo Limbos, ~~(3)~~ (4) Coconut Palms, and (2)  
Washingtonian Palms.
- A motion was made by Commissioner Cunningham, seconded by Commissioner Cullen, in accordance with Sec.110-327, to approve the preliminary conceptual landscape approval for the removal of (3) Royal Poincianas, (5) Jamaican Dogwoods, (1) Strangler Fig, (3) Buttonwoods, (3) Gumbo Limbos, (4) Coconut Palms, and (2) Washingtonian Palms, at 1671 Dunlap Drive to be replaced with the equivalent caliper inches from the approved list, FL#1, to be planted on site and to provide a mitigation plan to improve the ratio of palms to dicots in order to achieve compliance with regard to City Code 108-481. The motion passed by a unanimous vote.
- 16                    920 Caroline St/ TP2025-0005/ 920 Caroline St LLC and  
Utility Board of Key West  
Represented by Smith Hawks, PL  
Requesting Conceptual Landscape Plan Approval with no  
proposed tree removal.
- A motion was made by Commissioner Henriquez, seconded by Commissioner Johnson, to approve the Conceptual Landscape Plan with the condition that the applicant contribute \$2160.00 (10.8 caliper inches x \$200.00) to the Tree Fund . The motion passed unanimously.
- 17                    Southernmost Point Buoy (400 Block South St and 1300  
Block Whitehead St)/ T2025-0073/ City of Key West Right  
of Way  
Represented by Keith Bring - City of Key West Engineering  
Requesting approval to remove (2) Mahoganies, (1)  
Stopper, and ~~(1) Green Buttonwood.~~

A motion was made by Commissioner Cunningham, seconded by Commissioner Henriquez, in accordance with Sec.110-327, to approve the removal of (2) Mahogany trees, and (1) Spanish Stopper which has since died and was removed, at the Southernmost Point Buoy (400 Block South Street and 1300 Whitehead Street), to be replaced with 28.6 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.

18

719 Poorhouse Ln/ T2024-0351/ Doug Maxwell-Key West Modernist, LLC  
Represented by Tarzan Tree Care  
Request to Rescind and Reconsider Previous Denial Based on New Information

Commissioner Cunningham moved to poll the Commission regarding the matter. Chairman McRae directed to perform a Roll Call Vote as follows: Yes to Rescind and Reconsider Previous Denial or No to Uphold Original Decision. The Commissioners voted as follows:

**No:** 5 - Commissioner Cullen, Commissioner Cunningham, Commissioner Henriquez, Commissioner Johnson, and Chairman McRAE

**Absent:** 2 - Commissioner Cabanas, and Vice Chair Pope

### Administrative Hearing

19

1214 Laird St/ TC2025-0001/ Michele Miano and David Adams  
Respondents: Michele Miano, David Adams, and Clifton Turner - Shorty's Tree and Lawn Care LLC  
Michele Miano and David Adams are Represented by Greg Oropeza  
(3) Buttonwood Trees had their canopies completely removed without the benefit of a tree removal or heavy trimming permit.

A motion was made by Commissioner Henriquez, seconded by Commissioner Cullen, in accordance with Sec. 110-291, that the City of Key West enter into a compliance settlement agreement with the property owner and Shorty's Tree and Lawn Care, LLC as follows:

**Property Owner** - The property owner must agree to grow the tree for a two-year period to fill back the canopy with proper maintenance trimming.

**Shorty's Tree and Lawn Care, LLC** - The Commission placed on the record that Shorty's Tree and Lawn Care, LLC came before the Commission today and no fine was recommended.

The terms of the agreement were accepted by Shorty's Tree and Lawn Care, LLC and Greg Oropeza, representing the property owners.

### **New Business - Continued**

- 20                      2429 Fogarty Ave/ T2025-0035/ Samuel Snodgrass  
Requesting approval to remove (1) Mahogany Tree.

A motion was made by Commissioner Cunningham, seconded by Commissioner Henriquez, to table this item until the end of the meeting. The motion passed by a unanimous vote.

A motion was made by Commissioner Cullen, seconded by Commissioner Cunningham, to postpone this item until May 20, 2025. The motion passed by a unanimous vote.

- 21                      306 Truman Ave/ T2025-0065/ Darek Lyzwinski  
Requesting approval to remove (1) Strangler Fig Tree.

A motion was made by Commissioner Cullen, seconded by Commissioner Cunningham, to table this item until the end of the meeting. The motion passed by a unanimous vote.

A motion was made by Commissioner Cullen, seconded by Commissioner Cunningham, to postpone this item until May 20, 2025. The motion passed by a unanimous vote.

### **Action Item**

- 22                      Request to Use City Tree Fund Money

A motion was made by Commissioner Cunningham, seconded by Commissioner Cullen, to approve the request to use City Tree Fund money as recommended by the Urban Forestry Manager. The motion passed by a unanimous vote.

### **Reports**

#### **Public Comments**

#### **Commissioner Comments**

#### **Adjournment - 7:32 P.M.**