



**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**

May 28, 2019

Tree Commission
City of Key West
Petitioner,

Vs.

Check Electric
3255 Flagler Avenue
Key West, FL 33040

Gary's Plumbing
6409 2nd Terrace Unit 1
Key West, FL 33040

Joel Dos Santos
8 Cannon Royal Drive
Key West, FL 33040

An administrative hearing before the Tree Commission for the City of Key West will be held on **Tuesday, October 8, 2019**, 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 September 3, 2019 at 707-709 Truman Avenue, 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.
 - (2) Damage inflicted to or cutting upon a tree which permits infection or pest infestation.
- (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.
 - (4) Trenching of any kind shall not be done within the dripline of any tree. Only mechanical- or auger-type equipment shall be used to place conduit under a tree root system.

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

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;

Factual allegation: The excavation of a trench to install fire suppression system and electrical conduit was done within 4 ft of the base of a protected Royal Poinciana tree causing large primary roots to be cut without benefit of a permit. Prior to the trenching work, the tree had been damaged by trucks entering and existing the property due to lack of tree protection measures.



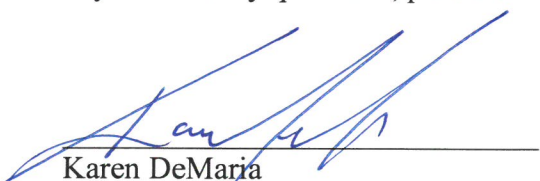


If the Tree Commission for the City of Key West finds that there has been a violation of the above code section, it will elect to enter into a compliance settlement agreement pursuant to section 110-291 of the Key West City Code or recommend a fine and further hearing before the Special Master of the 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 mailed to the Respondents and has been sent via e-mail, regular mail, and certified U.S. Mail to the above named Respondent's listed address on this **26th day of September 2019**.

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



Karen DeMaria

Urban Forestry Manager

kdemaria@cityofkeywest-fl.gov

ADDITIONAL INFORMATION

Karen DeMaria

From: Karen DeMaria
Sent: Wednesday, September 25, 2019 4:37 PM
To: Ken Reynolds
Cc: mmcoy@newleaf.expert
Subject: Administrative Hearing Notice 707-709 Truman Ave
Attachments: 707-709 Truman Admin hearing notice.pdf

Ken:

Attached is a copy of an administrative hearing notice that is being mailed out tomorrow. This abuse was discussed at the September 9, 2019 Tree Commission meeting and I was asked to file an enforcement case by the Tree Commissioners. It might be a good idea to have Michael review the tree and give an opinion as to what he thinks should be done to help the tree thrive in the future.

In the past, besides fining the contractors, one of the conditions that the Tree Commission has requested when there is a tree abuse issue is a plan of corrective action with the future health of the tree emphasized. Usually this is an arborist report with an immediate plan of action and a revisit by the arborist 1, 2 or 3 times afterward. This will also require the owners approval and signature. Please let me know your thoughts as to this issue.

Sincerely,

Karen

Karen DeMaria
Urban Forestry Manager
Certified Arborist FL# 6585A
City of Key West Planning Department
1300 White Street, Key West, FL 33040
305-809-3768



Disclaimer

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

Summary

Parcel ID 00020360-000000
Account# 1021105
Property ID 1021105
Millage Group 10KW
Location 707 TRUMAN Ave, KEY WEST
Address
Legal KW ALL LOTS 1, 2, 3 AND PART LOT 4 SQR 2 TR 5 OR70-225/226 OR417-780/781 OR459-438/439 OR562-129 OR601-442 OR613-677 OR613-679 OR620-202/203 OR696-170/171 OR697-863 OR697-868 PROB NO 82-333-CP-12 OR756-1640Q/C OR756-1641 OR793-202/203 OR866-459P/R OR915-1089/C OR922-1847/1848 OR915-701/702 OR915-1088 OR922-1845/1846 OR931-2095AFFD OR931-2097P/R OR937-515 OR991-52C OR1001-691L/E OR1017-1259/1260R/S OR1028-1908 OR1067-1582R/S OR1083-1792/1793R/S OR1145-17/18 OR1154-1960/1965T/D OR1171-1900/1901Q/C OR1171-1902Q/C OR1171-1903/1904 OR1209-699/705(WILL) PROB #92-105-CP-10 OR1236-704/706C OR1237-1174/1175C/T OR1245-263/264 OR1248-2006/2007C OR1265-2489/91 OR1265-2492/94 OR1265-2495/97 OR1270-108/16MEM/TRUST OR1270-117/19 OR1371-1623/4 OR2154-1285/86 OR2920-2211/2214QC OR2920-2202/2206
(Note: Not to be used on legal documents.)
Neighborhood 32080
Property Class HOTEL/MOTEL (3900)
Subdivision
Sec/Twp/Rng 06/68/25
Affordable No
Housing



Owner

KHP IV KEY WEST LLC
 C/O KHP CAPITAL PARTNERS LP
 101 CALIFORNIA ST STE 980
 SAN FRANCISCO CA 94111

Valuation

	2018	2017	2016	2015
+ Market Improvement Value	\$3,966,818	\$3,346,401	\$0	\$0
+ Market Misc Value	\$440,758	\$381,822	\$0	\$0
+ Market Land Value	\$4,407,576	\$3,718,223	\$6,865,218	\$6,377,420
= Just Market Value	\$8,815,152	\$7,446,446	\$6,865,218	\$6,377,420
= Total Assessed Value	\$7,880,872	\$7,164,429	\$6,513,117	\$5,921,016
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$8,815,152	\$7,446,446	\$6,865,218	\$6,377,420

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
COMMERCIAL DRY (100D)	34,485.00	Square Foot	0	0

Commercial Buildings

Style HOTELS/MOTEL A / 39A
Gross Sq Ft 7,594
Finished Sq Ft 4,247
Perimeter 0
Stories 2
Interior Walls
Exterior Walls AB AVE WOOD SIDING

[illegible]

Trim Notice

No data available for the following modules: Buildings, Mobile Home Buildings, Exemptions.

Developed by
 **Schneider**
GEOSPATIAL

Version 2.2.22