



**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 14, 2024

Tree Commission
City of Key West
Petitioner,

Vs.

Timothy OBrient
1120 Coconut Row
Delray Beach, FL 33483

Tim O'Brien
316 Julia Street
Key West, FL 33040

An administrative hearing before the Tree Commission for the City of Key West will be held on **Tuesday, June 4, 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 March 12, 2024 at 316 Julia Street, Key West, FL:

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; or
 - (2) Any monocot/palm tree which is ten (10) feet or more in height measured to the terminal bud. Palm tree counts are determined by root ball; or
 - (3) Any dicot/canopy tree which is four (4) inches or more in diameter at standard height (DSH);

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

Factual allegation: Three protected Coconut Palms and (2) dicot trees-possibly an Avocado and a Fiddlewood tree, were removed without benefit of a tree removal permit.

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 sent via e-mail, regular mail, and certified U.S. Mail to the above named Respondent's listed address on this **14th and 15th day of May 2024.**

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

Karen DeMaria

Karen DeMaria
Certified Arborist
kdemaria@cityofkeywest-fl.gov

Karen DeMaria

From: Karen DeMaria
Sent: Tuesday, May 14, 2024 4:16 PM
To: Patti O'Brien; Timothy OBrien
Subject: RE: [EXTERNAL] OBrien - 316 Julia Street, Key West
Attachments: 316 Julia Admin Hearing notice.pdf

Attached is a copy of the official hearing notice. Please acknowledge receipt of this email.

Sincerely,

Karen

Karen DeMaria

Certified Arborist FL-6585A
City of Key West
305-809-3768



From: Patti O'Brien <pattio126@gmail.com>
Sent: Saturday, May 11, 2024 12:07 PM
To: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>; Timothy OBrien <obrient1120@gmail.com>
Subject: [EXTERNAL] OBrien - 316 Julia Street, Key West

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Karen,

Tim will be coming to the meeting in June. In the meantime he has hired J.Lynn O'Flynn, INC from Key West to do the survey and plot trees from the list you sent him. We are thinking Buccaneer Palms fits for the job since the trees are medium height and are slow growth and drought tolerant. Since there will be no yard we will also be planting some fruit trees. In the front of the house the bushes are growing back and he will take pictures to the meeting to assure that it works.

Tim has talked with the gentleman from Marc House Nursery on Seminary street regarding purchasing the trees needed.

Please let us know if the date changes since Tim will be flying to Key West

thank you, Patricia OBrien

STAFF REPORT

DATE: May 24, 2024

RE: **Administrative Hearing for 316 Julia Street (TC2024-00007)**

FROM: Karen DeMaria, City of Key West Urban Forestry Manager

On March 8, 2024, I received a phone message stating that the new property owners at 316 Julia were in the process of clearing all the trees from the property. On March 12, the office received an email from Clifford Rhoades, a property owner in the area, asking whether a permit was required to remove a large palm and if so, if one had been issued for the 316 Julia Street. Mr. Rhoades provided before and after photos of the back yard of the property (see attached emails).



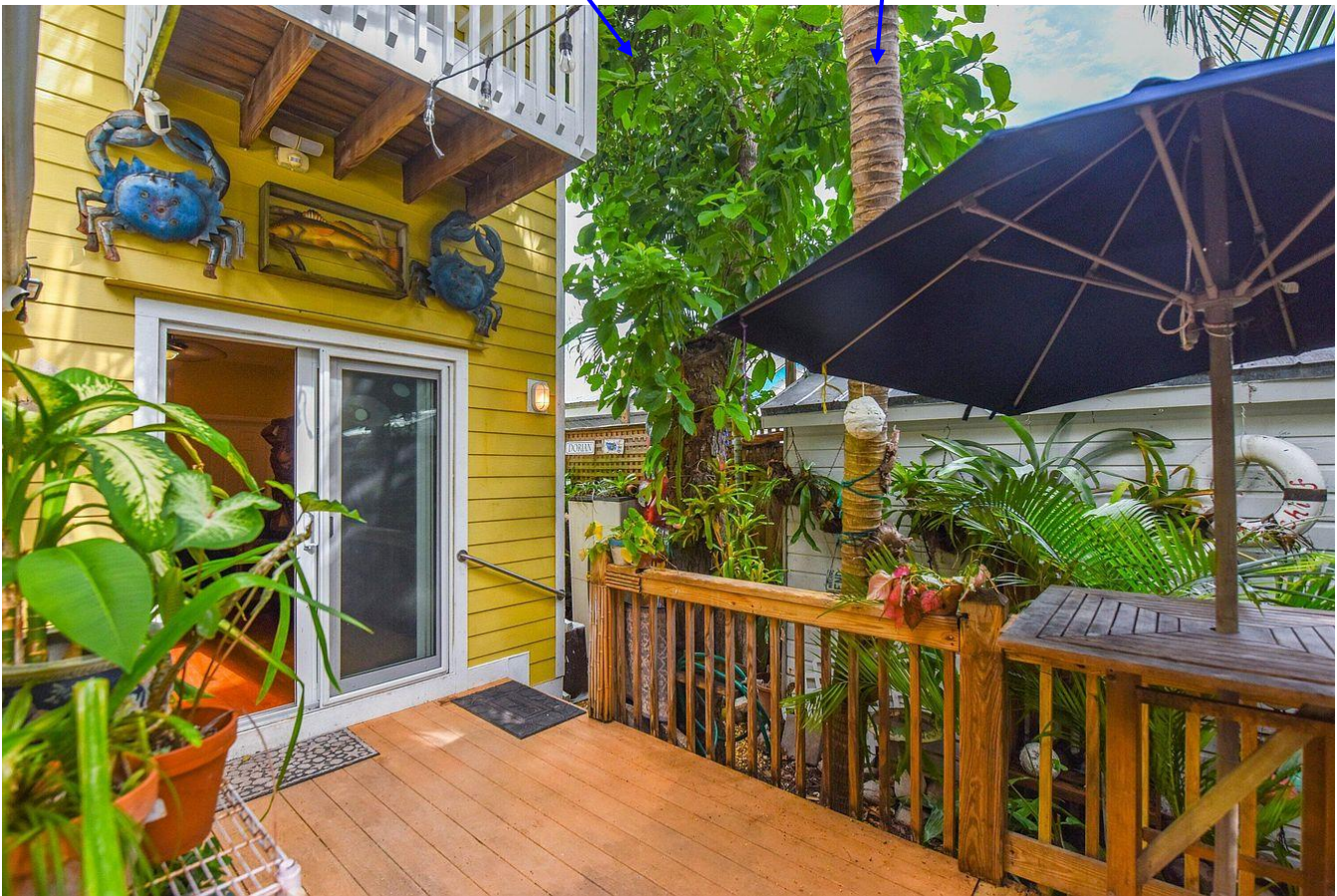
The following photos were taken from the internet, from the Zillow site. The property was recently sold and purchased. Based on the photos, it appears that (3) Coconut Palms and two unidentified trees, possibly an avocado and a fiddlewood, have been removed by the new property owner.



Unidentified tree #1-Fiddlewood tree?

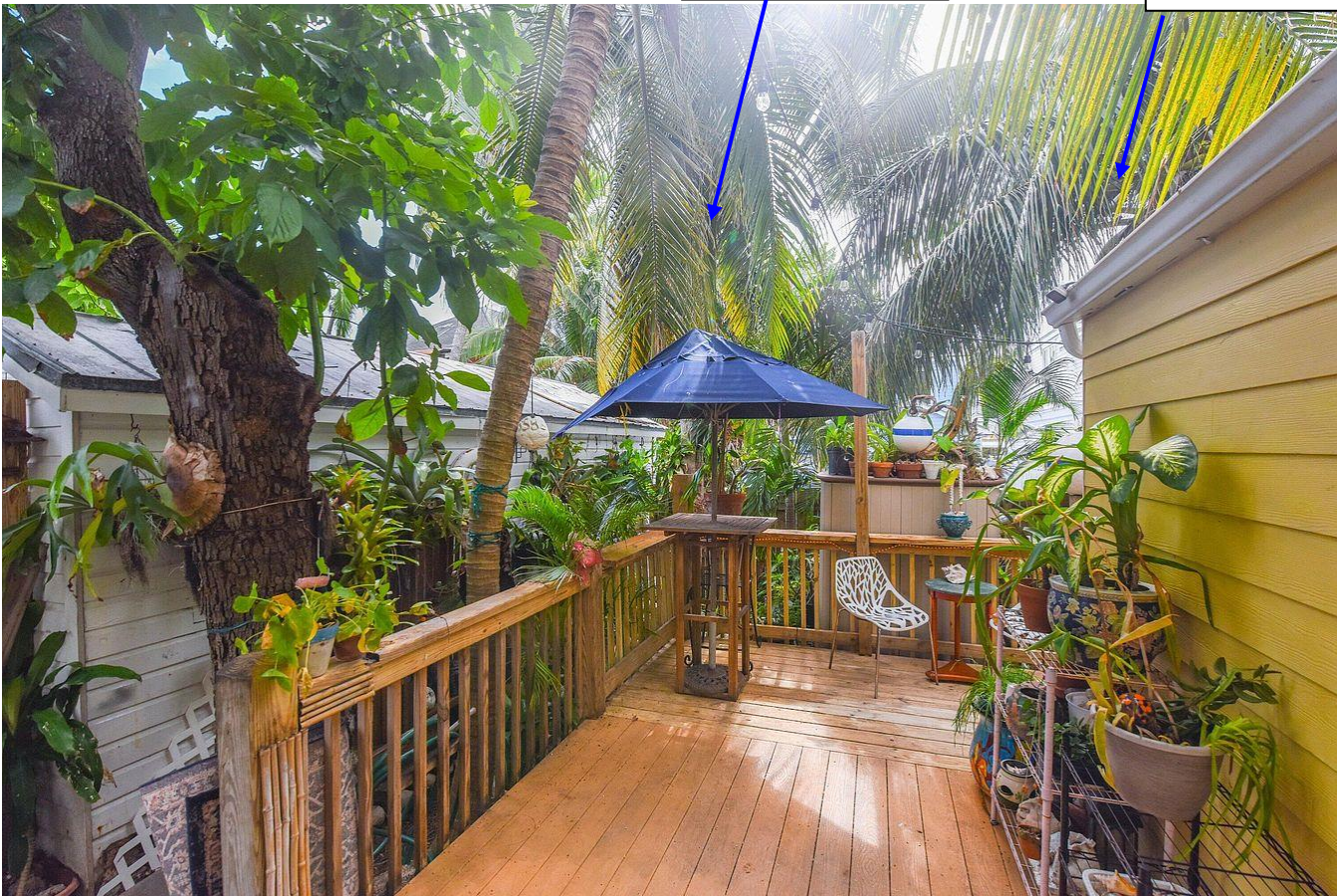
Unidentified tree #2-Avocado tree?

#1 Coconut Palm



Coconut Palm #2

Coconut Palm #3



Tree #2 (Avocado) and Coconut Palm #1



Two photos showing location of tree and palms prior to removal.

Below are photos taken during several site visits. The first visit to the site no one was at the property so photos are taken from the road. The second site visit the new property owner was on the property and gave access.



Photo of front of property. There were a lot of potted and ornamental plants in this area.

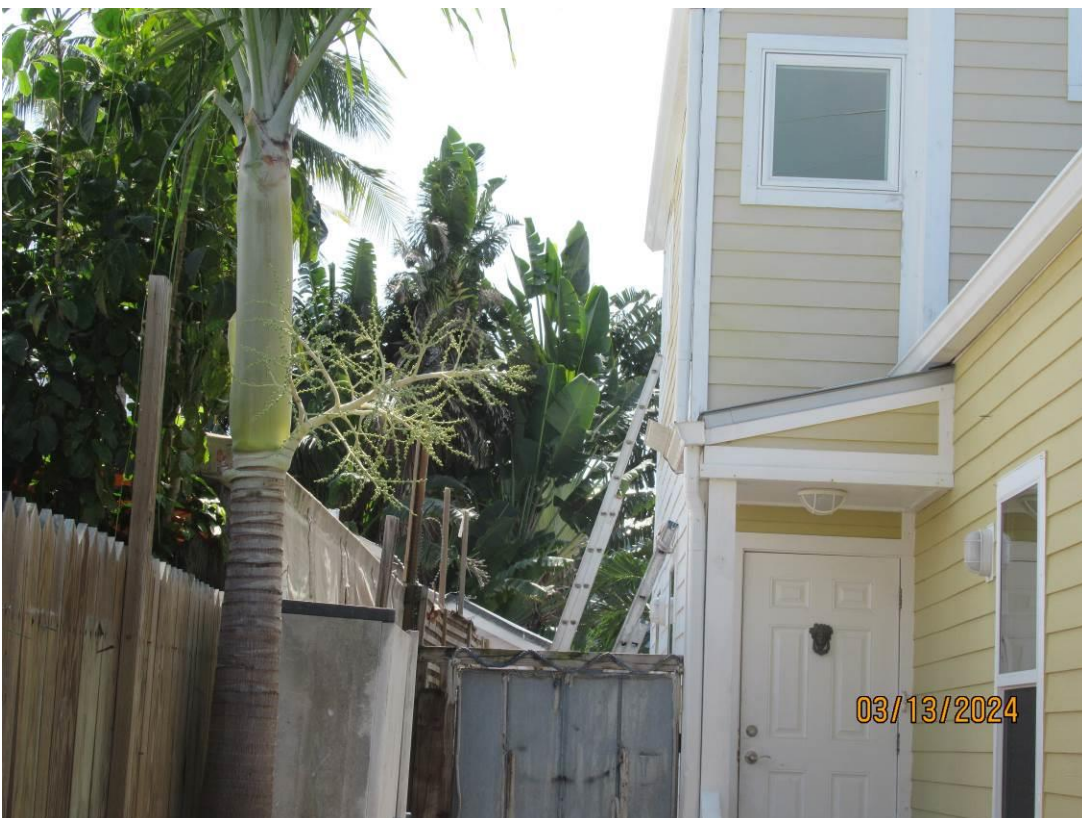
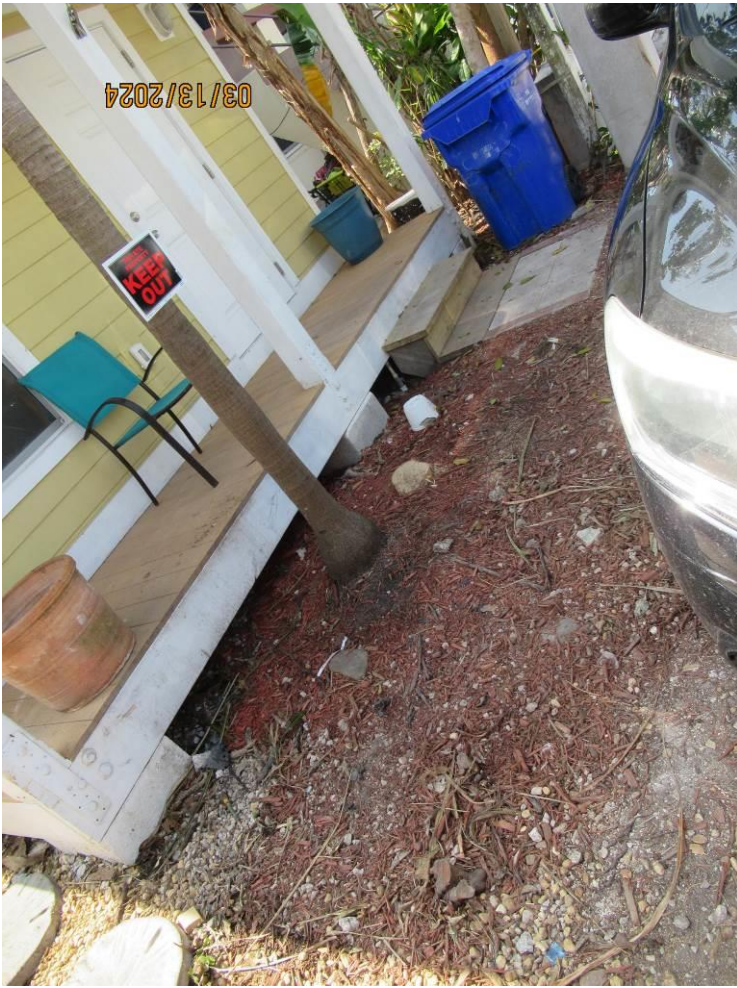


Photo of side of property looking toward the back yard where u/i tree #2 (avocado) and (2) Coconut palms were located.



Two photos showing location of stump from u/i tree #1 (fiddlewood?)





Photo of u/i tree #2 stump (avocado?).



Photo of Coconut Palm #3 stump.



Photo of Coconut Palm #2 stump.

Karen DeMaria

From: CLIFFORD RHOADES <rhoadesc@bellatlantic.net>
Sent: Tuesday, March 12, 2024 10:16 AM
To: Ismery Hernandez
Cc: Tippi Koziol; Karen DeMaria
Subject: [EXTERNAL] Re: [EXTERNAL] Fwd: Palm Tree Removed at 316 Julia

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Clifford E Rhoades, Jr
8082760191
317 Virginia St
Key West, FL

I have put 317 Virginia on the market.

Thank you.

Best wishes,
Cliff
Mobile: 808-276-0191
rhoadesc@bellatlantic.net

On Mar 12, 2024, at 10:11 AM, Ismery Hernandez <ismery.hernandez@cityofkeywest-fl.gov> wrote:

Good morning

To initiate the case, I will require the following details:

1. Your Full Name:
2. Contact Phone Number:
3. Home Address:

Thak you!

From: Tippi Koziol <tippi.koziol@cityofkeywest-fl.gov>
Sent: Tuesday, March 12, 2024 10:03 AM
To: CLIFFORD RHOADES <rhoadesc@bellatlantic.net>; code@cityofkeywest-fl.gov
Cc: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>; Code Compliance <CodeCompliance@cityofkeywest-fl.gov>
Subject: RE: [EXTERNAL] Fwd: Palm Tree Removed at 316 Julia

Hello Code Compliance,

Please see attached photos that a citizen has emailed about a code complaint. This big Coconut palm was removed without a permit, and at least another tree, (or trees) in the front yard. Can you please

open a case on his behalf? His information has been provided.

Thank you,

Tippi Koziol

Permit Technician
City of Key West
Planning Department
1300 White Street
Key West, FL 33040
(305) 809-3725
tippi.koziol@cityofkeywest-fl.gov



From: CLIFFORD RHOADES <rhoadesc@bellatlantic.net>
Sent: Tuesday, March 12, 2024 9:55 AM
To: code@cityofkeywest-fl.gov
Cc: Tippi Koziol <tippi.koziol@cityofkeywest-fl.gov>
Subject: [EXTERNAL] Fwd: Palm Tree Removed at 316 Julia

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you.

Best wishes,
Cliff
Mobile: 808-276-0191
rhoadesc@bellatlantic.net

Begin forwarded message:

Karen DeMaria

From: Karen DeMaria
Sent: Wednesday, March 13, 2024 11:30 AM
To: Karen DeMaria
Subject: FW: [EXTERNAL] Palm Tree Removed at 316 Julia

From: CLIFFORD RHOADES <rhoadesc@bellatlantic.net>
Sent: Tuesday, March 12, 2024 9:41 AM
To: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>
Subject: [EXTERNAL] Palm Tree Removed at 316 Julia

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Karen,

You may recall we spoke a half dozen years ago.

On Sunday, I discovered that someone had chopped down the large palm tree at 316 Julia. I believe it was removed on Saturday during the open house for 317 Virginia. This picture shows it missing.



The following picture from a few days ago shows the tree.



Was a permit issued to remove the tree? Is there a requirement to replace it with another palm tree? Please advise.

I moved out of 317 Virginia in late December, and just put it on the market.

Thank you.

Best wishes,
Cliff

Mobile: 808-276-0191
rhoadesc@bellatlantic.net

From: CLIFFORD RHOADES <rhoadesc@bellatlantic.net>

Sent: Wednesday, March 13, 2024 5:47 PM

To: Tippi Koziol <tippi.koziol@cityofkeywest-fl.gov>

Cc: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>

Subject: [EXTERNAL] Re: [EXTERNAL] Re: [EXTERNAL] Fwd: Palm Tree Removed at 316 Julia

Hi Tippi,

This picture shows the view out the owners bedroom on the second floor of 317 Virginia in late 2021. It does not do justice to the tree as I was capturing the window not the view.



You can see what a magnificent coconut palm tree it was. I had wanted to make those windows into a Juliet balcony so that I could more fully appreciate the view. But I could not get permission so to do.

I have been able to get some information.



316 Julia St, Key West, FL 33040

flexmls.com

Sold March 5, 2024

At this time the tax records have not rolled over to reflect the new owner As yet. I hope the buyer's agent will provide me with some more information.

On Mar 13, 2024, at 5:14 PM, CLIFFORD RHOADES <rhoadesc@bellatlantic.net> wrote:

Hi Tippi,

Unfortunately, I have not lived there since late December. I try to visit every early morning to pick up mail and clean the pool. Generally, it is quite dark, and the real estate agent has terminated my pool solar lights.

So I have no idea whether the new owners have moved in.

Thank you.

Best wishes,

Cliff

Mobile: 808-276-0191

rhoadesc@bellatlantic.net

On Mar 13, 2024, at 1:07 PM, Tippi Koziol <tippi.koziol@cityofkeywest-fl.gov> wrote:

Hi Cliff,

It turns out that the previous owners also alerted her to trees being taken down. Karen DeMaria, the Urban Forester Manager, went by the property a little while ago. No one answered when she knocked on the door. She left them information to contact her.

Do you know if someone has moved in yet? I saw cars parked and a tall ladder leaned against the house.

Thanks again for your support!

Tippi Koziol

Permit Technician

City of Key West

Planning Department

1300 White Street
Key West, FL 33040
(305) 809-3725
tippi.koziol@cityofkeywest-fl.gov

[<image001.gif>](#)

From: Tippi Koziol
Sent: Tuesday, March 12, 2024 11:10 AM
To: rhoadesc@bellatlantic.net
Subject: FW: [EXTERNAL] Re: [EXTERNAL] Fwd: Palm Tree Removed at 316 Julia

Hi Cliff,

Thank you for providing all the photos and information. This will help Karen put a tree violation case together. I'll know more soon and will be in touch with you.

All the best,

Tippi Koziol
Permit Technician
City of Key West
Planning Department
1300 White Street
Key West, FL 33040
(305) 809-3725
tippi.koziol@cityofkeywest-fl.gov

[<image001.gif>](#)

From: CLIFFORD RHOADES <rhoadesc@bellatlantic.net>
Sent: Tuesday, March 12, 2024 10:39 AM
To: Tippi Koziol <tippi.koziol@cityofkeywest-fl.gov>
Subject: [EXTERNAL] Re: [EXTERNAL] Fwd: Palm Tree Removed at 316 Julia

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Tippi,

So code compliance is not involved?

Thank you.

Best wishes,
Cliff
Mobile: 808-276-0191
rhoadesc@bellatlantic.net

On Mar 12, 2024, at 10:27 AM, Tippi Koziol <tippi.koziol@cityofkeywest-fl.gov> wrote:

Thanks Jim.

Tippi Koziol

Permit Technician
City of Key West
Planning Department
1300 White Street
Key West, FL 33040
(305) 809-3725
tippi.koziol@cityofkeywest-fl.gov

[<image001.gif>](#)

From: Jim J. Young <jjyoung@cityofkeywest-fl.gov>
Sent: Tuesday, March 12, 2024 10:20 AM
To: Tippi Koziol <tippi.koziol@cityofkeywest-fl.gov>; CLIFFORD RHOADES <rhoadesc@bellatlantic.net>; code@cityofkeywest-fl.gov
Cc: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>; Code Compliance <CodeCompliance@cityofkeywest-fl.gov>
Subject: RE: [EXTERNAL] Fwd: Palm Tree Removed at 316 Julia

Tippi,
These type of cases are handled by the City's Urban Forestry Manager not code.

Jim Young

From: Tippi Koziol <tippi.koziol@cityofkeywest-fl.gov>
Sent: Tuesday, March 12, 2024 10:03 AM
To: CLIFFORD RHOADES <rhoadesc@bellatlantic.net>; code@cityofkeywest-fl.gov
Cc: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>; Code Compliance <CodeCompliance@cityofkeywest-fl.gov>
Subject: RE: [EXTERNAL] Fwd: Palm Tree Removed at 316 Julia

Hello Code Compliance,

Please see attached photos that a citizen has emailed about a code complaint. This big Coconut palm was removed without a permit, and at least another tree, (or trees) in the front yard. Can you please open a case on his behalf? His information has been provided.

Thank you,

Tippi Koziol

Permit Technician
City of Key West
Planning Department
1300 White Street
Key West, FL 33040
(305) 809-3725

tippi.koziol@cityofkeywest-fl.gov

[<image001.gif>](#)

From: CLIFFORD RHOADES <rhoadesc@bellatlantic.net>
Sent: Tuesday, March 12, 2024 9:55 AM
To: code@cityofkeywest-fl.gov
Cc: Tippi Koziol <tippi.koziol@cityofkeywest-fl.gov>
Subject: [EXTERNAL] Fwd: Palm Tree Removed at 316 Julia

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Thank you.

Best wishes,
Cliff
Mobile: 808-276-0191
rhoadesc@bellatlantic.net

Begin forwarded message:

From: CLIFFORD RHOADES <rhoadesc@bellatlantic.net>
Date: March 12, 2024 at 9:45:27 AM EDT
To: tree@cityofkeywest-fl.gov
Subject: Palm Tree Removed at 316 Julia

Good morning,

On Sunday, I discovered that someone had chopped down the large palm tree at 316 Julia. I believe it was removed on Saturday during the open house for 317 Virginia. This picture shows it missing.

[<image002.jpg>](#)

The following picture from a few days ago shows the tree.

[<image003.png>](#)

Was a permit issued to remove the tree? Is there a requirement to replace it with another palm tree? Please advise.

I moved out of 317 Virginia in late December, and just put it on the market.

Thank you.

Best wishes,
Cliff
Clifford E. Rhoades, Jr.

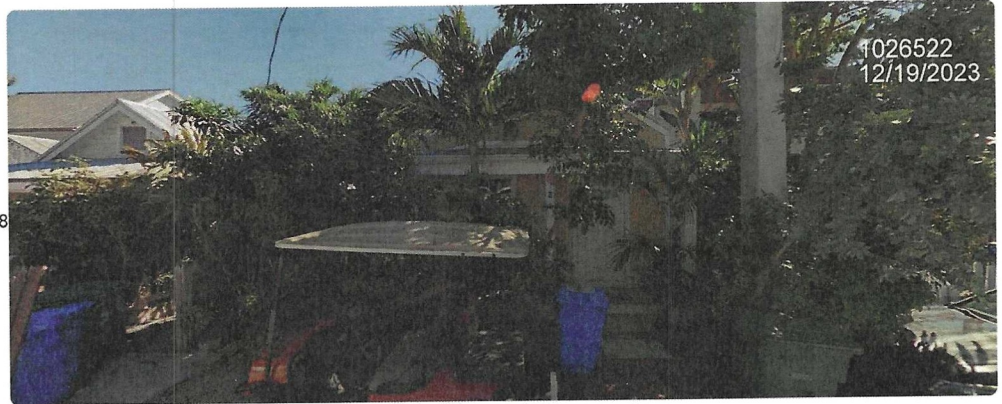
Disclaimer

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 00025760-000000
 Account# 1026522
 Property ID 1026522
 Millage Group 11KW
 Location 316 JULIA St, KEY WEST
 Address
 Legal KW PB1-25 PB1-40 PT LT
 Description 20 AND PT LT 29 SQR 1 TR
 10 E1-158 OR2560-1659
 OR2583-173 OR3265-1688
 (Note: Not to be used on legal documents.)
 Neighborhood 6021
 Property Class SINGLE FAMILY RESID (0100)
 Subdivision Tracts 10 and 15
 Sec/Twp/Rng 06/68/25
 Affordable No
 Housing



Owner

OBRIENT TIMOTHY
 1120 Coconut Row
 Delray Beach FL 33483

Valuation

	2023 Certified Values	2022 Certified Values	2021 Certified Values	2020 Certified Values
+ Market Improvement Value	\$416,268	\$420,605	\$361,719	\$219,795
+ Market Misc Value	\$2,834	\$2,958	\$3,081	\$3,204
+ Market Land Value	\$642,742	\$389,860	\$316,103	\$305,566
Skip to main content Just Market Value	\$1,061,844	\$813,423	\$680,903	\$528,565
= Total Assessed Value	\$568,603	\$552,042	\$535,964	\$528,565
- School Exempt Value	(\$25,000)	(\$25,000)	(\$25,000)	(\$25,000)
= School Taxable Value	\$543,603	\$527,042	\$510,964	\$503,565

Monroe County, FL

Historical Assessments

Year	Land Value	Building Value	Yard Item Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2022	\$389,860	\$420,605	\$2,958	\$813,423	\$552,042	\$25,000	\$527,042	\$261,381
2021	\$316,103	\$361,719	\$3,081	\$680,903	\$535,964	\$25,000	\$510,964	\$144,939
2020	\$305,566	\$219,795	\$3,204	\$528,565	\$528,565	\$25,000	\$503,565	\$0
2019	\$325,586	\$222,038	\$3,327	\$550,951	\$550,951	\$25,000	\$525,951	\$0
2018	\$325,586	\$222,038	\$3,450	\$551,074	\$551,074	\$25,000	\$526,074	\$0

The Maximum Portability is an estimate only and should not be relied upon as the actual portability amount. Contact our office to verify the actual portability amount.

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
RES SUPERIOR DRY (01SD)	2,007.00	Square Foot	0	0

Buildings

Building ID	62011	Exterior Walls	HARDIE BD
Style	2 STORY ELEV FOUNDATION	Year Built	2016
Building Type	S.F.R. - R1 / R1	Effective Year Built	2017
Building Name		Foundation	CONCR FTR
Gross Sq Ft	1404	Roof Type	GABLE/HIP
Finished Sq Ft	1100	Roof Coverage	METAL
Stories	2 Floor	Flooring Type	SFT/HD WD
Condition	EXCELLENT	Heating Type	FCD/AIR DUCTED

Perimeter	0	Bedrooms	
Functional Obs	0	Full Bathrooms	2
Economic Obs	0	Half Bathrooms	0
Depreciation %	5	Grade	500
Interior Walls	DRYWALL	Number of Fire PI	0

Code	Description	Sketch Area	Finished Area	Perimeter
OPX	EXC OPEN PORCH	80	0	56
FLA	FLOOR LIV AREA	1,100	1,100	200
OPU	OP PR UNFIN LL	150	0	50
OJU	OP PR UNFIN UL	24	0	20
SBF	UTIL FIN BLK	50	0	30
TOTAL		1,404	1,100	356

Yard Items

Description	Year Built	Roll Year	Size	Quantity	Units	Grade
FENCES	2016	2017	6 x 65	0	390 SF	3

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
3/5/2024	\$975,000	Warranty Deed	2453729	3265	1688	99 - Unqualified	Improved		
7/31/2012	\$125,000	Warranty Deed		2583	173	03 - Qualified	Improved		
3/20/2012	\$80,100	Tax Deed		2560	1659	11 - Unqualified	Improved		

Permits

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
15-1357	4/17/2015	6/23/2016	\$3,589	Residential	INSTALL NEW A/C. NEW CONSTRUCTION N.O.C. W/APPLICATION . NEEDS PLANS. DRYER EXHAUST, BATHROOM EXHAUST AND KITCHEN EXHAUST ARE REQUIRED TO BE IN THE PERMIT.
15-1358	4/16/2015	6/23/2016	\$2,840	Residential	NEW PLUBING CONSTRUCTION: ALL MATERIAL FOR ROUGH IN TO BE SCHEDULE 40 PVC CONSTRUCTION UNDER LINES TO BE PVC FINISH PRODUCT TO BE DELTA FAUCETS.
15-1108	4/7/2015	6/23/2016	\$2,700	Residential	VCRIMP METAL ROOF
14-3736	10/1/2014	6/23/2016	\$65,000	Residential	
12-4128	11/28/2012	11/14/2014	\$900	Residential	
12-3798	10/17/2012	11/27/2012	\$2,849		DEMO OF HOUSE 2 BED ROOMS, 1 BATH, NO HARC NEEDED

View Tax Info

[View Taxes for this Parcel](#)

Sketches (click to enlarge)



Map



TRIM Notice

[2023 TRIM Notice \(PDF\)](#)

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[User Privacy Policy](#) | [GDPR Privacy Notice](#)
 Last Data Upload: 4/3/2024, 5:59:49 AM

Contact Us

