

**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 31, 2018

Tree Commission
City of Key West
Petitioner,

Vs.

Charley Toppino & Sons
PO Box 787
Key West, FL 33041

KeyStar Inc
506 Fleming Street
Key West, FL 33040

John Mumford-Details Landscaping
PO Box 6371
Key West, FL 33041

An administrative hearing before the Tree Commission for the City of Key West will be held on **Tuesday, February 12, 2019**, at 5:00 p.m., at **Josephine Parker City Hall at Historic Glynn R. Archer School, 1300 White Street, Key West, Florida.**

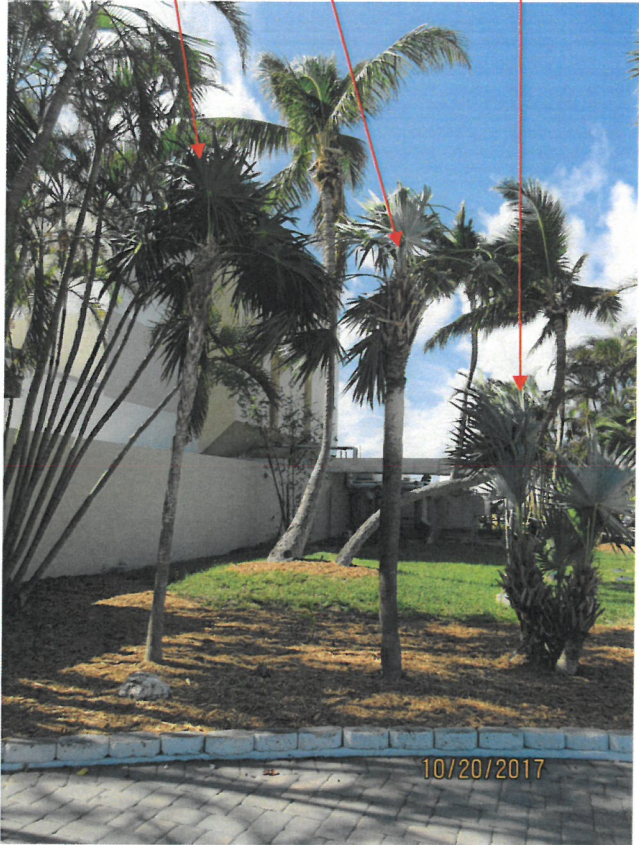
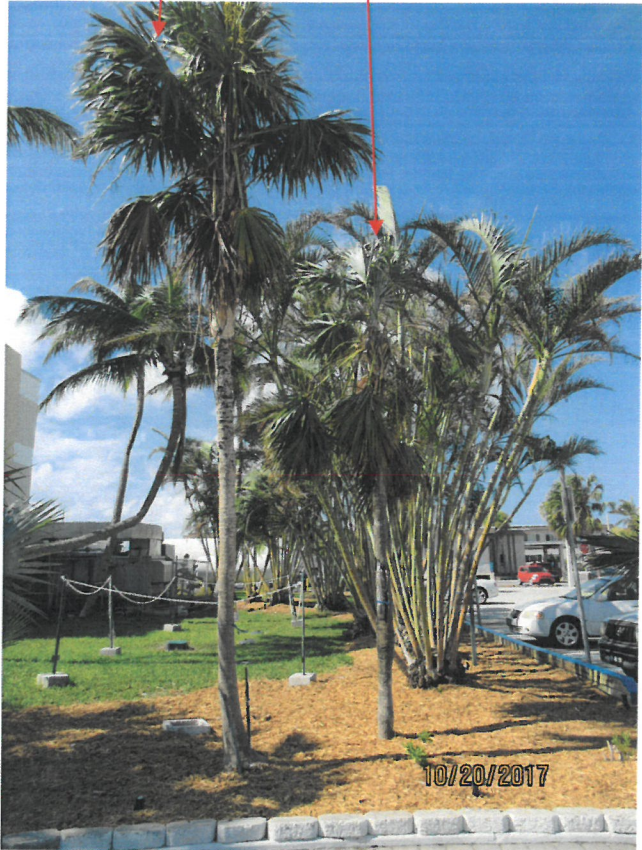
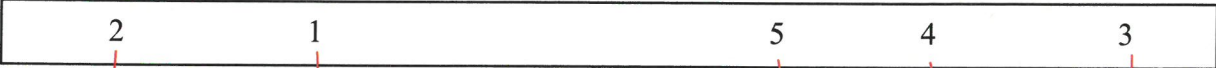
This hearing will be conducted pursuant to sections 110-288 et. seq. of the Key West City Code. The purpose of this hearing will be to determine if a code violation has been committed by the above named Respondents. **Your presence is required at this Tree Commission meeting.**

Date of alleged violation: prior to December 3, 2018 at 5900 College Road, 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;

Factual allegation: On November 15, 2017, tree permit T17-8717 was issued to LKMC, Charles Spottswood-Keystar, Inc, and John Mumford to transplant 15 Thrinax Palms (mistype-actually 5 rootballs) from the main entrance area of the hospital to other areas on the property, as per an approved landscape plan. A clos eout inspection of the permits indicated that the palms had been removed and not transplanted. No permits were ever issued for the removal of the palms.



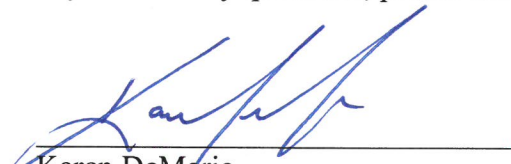
Key to the Caribbean – average yearly temperature 77 ° Fahrenheit.

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 regular mail and certified U.S. Mail to the above named Respondent's listed address on this **31st day of December 2018**.

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



Karen DeMaria
Urban Forestry Manager
kdemaria@cityofkeywest-fl.gov

cc: Lower Keys Medical Center
5900 College Road
Key West, FL 33040