



THE CITY OF KEY WEST

Tree Commission

Post Office Box 1409 Key West, FL 33041-1409

Telephone: 305-809-3786

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

April 3, 2025

Tree Commission
City of Key West
Petitioner,

Vs.

Shorty's Tree and Lawn Care LLC
Attn: Clifton Turner
19463 Date Palm Dr
Summerland Key, FL 33042

Michele Miano and David Adams
410 Station Ave
Haddonfield, NJ 08033

An administrative hearing before the Tree Commission for the City of Key West will be held on **Tuesday, April 15, 2025**, 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(s). **Your presence is required at this Tree Commission meeting.**

Date of alleged violation: prior to March 21, 2025 at 1214 Laird St, 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:

- (4) Cutting upon a tree which destroys its natural shape.
- (5) Hatracking as defined in [section 110-252](#).

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

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

(3) Any dicot/canopy tree which is four (4) inches or more in diameter at standard height (DSH)

Sec. 110-322. - Exceptions.

(d) A permit is not required for the trimming of a dicot tree if; less than $\frac{1}{3}$ of the tree and/or canopy is being removed; as defined in [section 110-252](#) as minor maintenance, and the trimming does not impact the overall shape of the tree; branches being removed are not a primary, structural branches and are less than 6 inches in diameter; and the work is done according to ANSI A-300 standards. A permit is required for the removal of large, structural branches and if the tree is being reduced in size and density by more than $\frac{1}{3}$ as defined in [section 110-252](#) as major maintenance. A tree trimming permit will include a condition that requires the tree to be monitored for one year to ensure the health of the tree.

Sec. 110-336. - Pruning or heavy maintenance.

(3)A permit is required for the removal of large, structural branches and if the tree is being reduced in size or overall shape and density by more than $\frac{1}{3}$ as defined in [section 110-252](#) as major maintenance.

Factual allegation: (3) Buttonwoods had their canopies completely removed without the benefit of a tree removal or heavy trimming permit.

Google Street View 1214 Laird - August 2022



The following photos are during inspections of the property on March 21, 2025 and April 2, 2025



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



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 sent via e-mail, regular mail, and certified U.S. Mail to the above named Respondents' listed addresses on this **3rd Day of April, 2025.**

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



McKenzie Fraley
Urban Forestry Manager
tree@cityofkeywest-fl.gov

TREE COMMISSION STAFF REPORT
CITY of KEY WEST

PROPERTY: 1214 Laird St

ENFORCEMENT CASE NUMBER: TC2025-0001

On March 21, 2025, during an inspection for a dicot removal application, it was discovered that (3) buttonwoods in the front yard had been heavily trimmed, improperly, without authorization resulting in the loss of the canopies of all (3) trees. I asked the property owner via email on March 31st who was hired for the trimming work, and Michele Miano stated that Shorty's Tree and Lawn was hired for both the removal and trimming work, and she sent a screenshot of the invoice.

TREE PHOTOS:



August 2022 Google Streetview of 1214 Laird St



A photo of the front yard at a similar angle as the Aug 2022 Streetview and a photo of a larger buttonwood with its canopy removed.





A photo of the other (2) Buttonwoods with their canopies removed.

Recommendation:

1. Property owner should be required to allow the trees to grow for (2) years and fill back in before doing any maintenance trimming that is not necessary out of safety concerns
2. The Tree Company shall pay a fine into the Tree Fund, receive Tree Ordinance Training from the Urban Forester, and create a training program for his employees.

PREPARED BY:

Mckenzie Fraley

Mckenzie Fraley
Urban Forestry Manager
City of Key West

Mckenzie Fraley

From: michelemiano@comcast.net
Sent: Monday, March 31, 2025 5:21 PM
To: Mckenzie Fraley
Subject: [EXTERNAL] Re: Buttonwoods cut at 1214 Laird

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.

5:05

estimate_1219.p



Shorty's Tree & Lawn Care LLC

19463 Date Palm Drive | Summerland Key, Florida 33042
3056479261 | shortystlc@gmail.com | <http://shortystlc.com/>

RECIPIENT:

Michelle Miano

1214 Laird Street
Key West, Florida 33040

Estimate

Sent on

Total

Product/Service

Description

Tree Removal

Removing hard wood trees located in the back yard and grinding the stump. The stumps are to ground out to the best of our abilities to allow for planting. The grindings can be done without the interference of any electrical, plumbing, or foreign objects.

Permit may be required for removal. If a permit is required for removal, our terms are listed below.

Prior to commencing work, a non-refundable

We hired the same company to trim the trees. We were not in Key West when the work was performed.

On Mar 31, 2025, at 2:26 PM, Mckenzie Fraley <mckenzie.fraley@cityofkeywest-fl.gov> wrote:

Good afternoon,

While I was conducting the inspection for your application to remove 4 hardwood trees from the back of your property, I noticed there were buttonwoods that had been cut in the front of the property. I was wondering who conducted that work?

Mckenzie Fraley
City of Key West
Urban Forestry Manager
305-809-3768

<image001.png>



Shorty's Tree & Lawn Care LLC

19463 Date Palm Drive | Summerland Key, Florida 33042
3056479261 | shortystlc@gmail.com | http://shortystlc.com/

RECIPIENT:

Michelle Miano

1214 Laird Street
Key West, Florida 33040

Estimate #1219

Sent on Jan 23, 2025

Total \$8,500.00

Product/Service	Description	Qty.	Unit Price	Total
Tree Removal	<p>Removing hard wood trees located in the back yard and grinding the stump. The stumps are to be ground out to the best of our abilities to allow for planting. The grindings can be done without the interference of any electrical, plumbing, or foreign objects.</p> <p>Permit may be required for removal. If a permit is required for removal, our terms are listed below.</p> <p>Prior to commencing work, a non-refundable deposit of \$175 is required. This deposit will cover the permit cost and attendance at the tree commission meeting. Please be aware that this fee may not be refunded based on the decision of the tree commission regarding the removal. If approval for the removal is granted, the deposit will be deducted from the final invoice. Please be aware, this fee does not cover any permitting or mitigation fees from the city upon closing out your permit. It is the homeowner's responsibility to close out permit once the service has been completed.</p> <p>Debris removal included.</p>	4	\$1,700.00	\$6,800.00*
Tree Trimming	<p>Trimming the 3 button woods located up front. Our goal is to allow sunlight to reach the other side of the yard.</p> <p>Debris removal included.</p>	1	\$1,700.00	\$1,700.00

* Non-taxable

A deposit of \$1,700.00 will be required to begin.

Total \$8,500.00