

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

City of Key West
Petitioner,

March 26, 2013

Vs.

Miles and Katharine Prentice
51 Sunset Key Drive
Key West, Florida 33040

Co-respondents,

Ryon LaChapel
Seatech of the Florida Keys
830 Crane Blvd
Sugarloaf Key, Florida 33042

Timothy Trivett
Organic Accents, Inc.
P.O. Box 431602
Big Pine Key, Florida 33043

An administrative hearing before the Tree Commission for the City of Key West will be held on Monday, May 13, 2013, at 5:00 p.m., at Old City Hall, 510 Greene St. Key West, Florida. The meeting date has been changed due to problems with notifying all respondents of the meeting in a timely manner.

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: On or before January 29, 2013 at 1911 Staples Ave, Key West.

Alleged code violation:

Section 110-256. Tree Abuse.

- (a) *Generally.* Tree abuse is prohibited, and abused trees shall not be counted toward fulfilling landscape requirements. The city may require the abused trees to be replaced.
- (b) *Prohibited acts.* A tree shall be considered abused if one or more of the following actions has taken place:

- (4) Cutting upon a tree which destroys its natural shape.

- (5) Hatracking as defined in Section 110-252

Section 110-321. Permit Required.

(a) Unless a tree removal permit approved by the tree commission and issued by the chief building official has been obtained, no person, whether on publicly or privately owned land, shall willfully cause harm or major maintenance to or hatracking or removal of the following:

(1) Any tree listed as "specially protected" in section 110-253;

Section 110-336. Pruning or Heavy maintenance.

Pruning of trees shall be performed following pruning standards set by ANSI A-300 standards, as provided in Division 5.

Factual allegation: A large diameter (67"dbh) native Fig tree (Ficus sp.) at 1911 Staples Ave, was heavily trimmed (hatracked) without a permit and not according to ANSI A-300 standards.

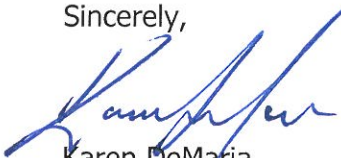
If the Tree Commission for the City of Key West finds that there has been a violation of the above code section, it will elect to enter into a compliance settlement agreement pursuant to section 110-291 of the Key West City Code or recommend a fine and further hearing before the Special Master of The 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 by certified U.S. Mail to the above named Respondent's listed address on this 20 day of March 2013.

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

Sincerely,



Karen DeMaria
Urban Forestry Manager
305-809-3768
kdemaria@keywestcity.com