



TP 2025-0006

## Tree Permit Application

Please Clearly Print All Information unless indicated otherwise. Date: April 3, 2025

**Tree Address** 3401 Duck Avenue (1620 Truesdale Court)

**Cross/Corner Street** \_\_\_\_\_

**List Tree Name(s) and Quantity** As indicated on attached plans

**Reason(s) for Application:**

☐ Remove ☐ Tree Health ☐ Safety ☐ Other/Explain below

☐ Transplant ☐ New Location ☐ Same Property ☐ Other/Explain below

☐ Heavy Maintenance Trim ☐ Branch Removal ☐ Crown Cleaning/Thinning ☐ Crown Reduction

**Additional Information and Explanation** To accommodate new building housing.

**Property Owner Name** City of Key West

**Property Owner email Address** citymanager@cityofkeywest-fl.gov

**Property Owner Mailing Address** 1300 White Street, Key West, FL 33040

**Property Owner Phone Number** 305-809-3944

**Property Owner Signature** Bryan L Barnes

**\*Representative Name** Keith Oropeza

| Scott Pridgen

**Representative email Address** keithoropeza2@gmail.com

| scott.pridgen@ahmonroe.org

**Representative Mailing Address** 415 E. Pine Street, #1012, Orlando, FL 32810

| 1434 Kennedy Drive, Key West, FL 33040

**Representative Phone Number** 407-222-9583

| 305-296-6196

\*NOTE: A Tree Representation Authorization form must accompany this application if someone other than the owner will be representing the owner at a Tree Commission meeting or picking up an issued Tree Permit.

As of August 1, 2022, application fees are required. [Click here for the fee schedule.](#)

Sketch location of tree (aerial view) including cross/corner street. Please identify tree(s) on the property regarding this application with colored tape or ribbon.

See submitted plans.



## Tree Representation Authorization

**Attendance at the Tree Commission meeting on the date when your request will be discussed is necessary in order to expedite the resolution of your application.** This **Tree Representation Authorization form** must accompany the application if the property owner is unable to attend or will have someone else pick up the Tree Permit once issued. Please Clearly Print All Information unless indicated otherwise.

**Date** April 3, 2025

**Tree Address** 3401 Duck Avenue (1620 Truesdale Court)

**Property Owner Name** City of Key West

**Property Owner Mailing Address** 1300 White Street

**Property Owner Mailing City,**

**State, Zip** Key West, FL 33040

**Property Owner Phone Number** 305-809-3944

**Property Owner email Address** citymanager@cityofkeywest-fl.gov

**Property Owner Signature** Brian L. Barroso

**Representative Name** Keith Oropeza | Scott Pridgen

**Representative Mailing Address** 415 E. Pine Street, #1012 | 1434 Kennedy Drive

**Representative Mailing City,**

**State, Zip** Orlando, FL 32801 | Key West, FL 33040

**Representative Phone Number** 407-222-9583 | 305-296-6196

**Representative email Address** keithoropeza2@gmail.com | scott.pridgen@ahmonroe.org

I Brian Barroso hereby authorize the above listed agent(s) to represent me in the matter of obtaining a Tree Permit from the City of Key West for my property at the tree address above listed. You may contact me at the telephone listed above if there are any questions or need access to my property.

Property Owner Signature Brian L. Barroso

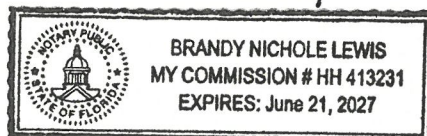
The forgoing instrument was acknowledged before me on this 10<sup>th</sup> day of April.  
By (Print name of Affiant) Brian L. Barroso who is personally known to me or has produced  
as identification and who did take an oath.

### Notary Public

Sign name: Brandy Nichole Lewis

Print name: Brandy Nichole Lewis

My Commission expires: June 21, 2027 Notary Public-State of Florida (Seal)  
County of Monroe





## EXISTING TREE REPORT for CITY of KEY WEST

PROPERTY: 1620 Truesdale Court

PREPARED BY:

Karen DeMaria

Consulting Arborist/Environmental Scientist

KKD Environmental Sciences

305-393-9216, [KWTreelady@gmail.com](mailto:KWTreelady@gmail.com)

**PROPERTY SUMMARY:** The current area to be developed has an existing structure-housing, that is part of a larger housing property that had been originally reviewed a few years ago as part of a larger project by the City of Key West Planning Department under the address of 3401 Duck Avenue. At the time of the Duck Avenue review, a complete arborist report was done by Cynthia Domenech-Coogle of the entire property. This current review updates the existing tree map for the vegetation growing near and in the proposed demolition and redevelopment area of the 1620 Truesdale housing structure development area.

**TREE ASSESSMENT:** See attached tree list, map, and disposition plan for complete information regarding status of trees in the proposed development area. Trees that are to remain will be protected during demolition and construction with tree protection.

Photo showing southside of proposed work area.

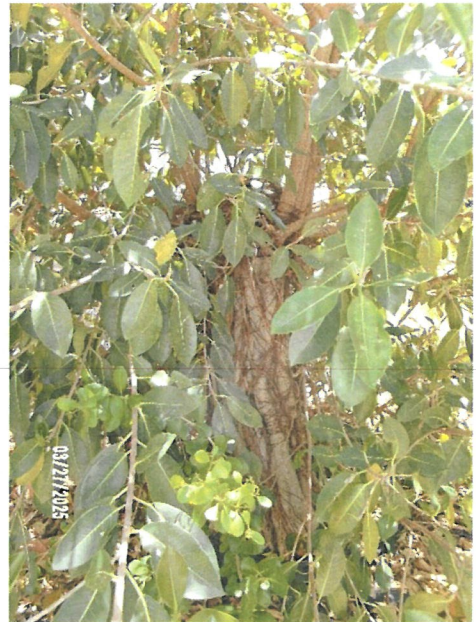




3.65A: Sea Grape (*Coccoloba uvifera*, to remain-trim) and 3.65B: Potato Tree (*Solanum donianum*, shrub, remove)



3.66 Strangler Fig (*Ficus aurea*, permit already issued to remove, T2022-0419. Requires planting of 1-8ft tall approved tree, minimum 1" diameter). Presently, a tall stump with regrowth.





3.67: Sabal Palm (Sabal palmetto, to remain)



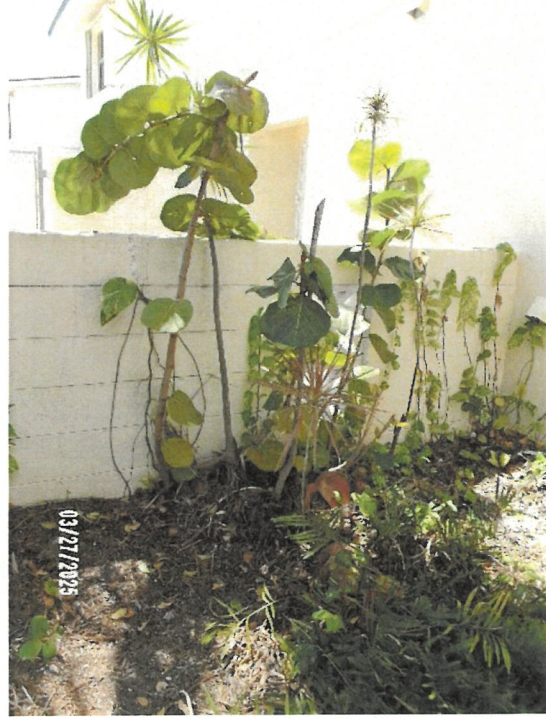
3.70: Pigmy Date Palm (Phoenix sp., remove, growing with other not regulated ornamentals)



3.72: Sabal Palm (Sabal palmetto, remove.)  
Requires planting of 1-4ft tall approved native palm



3.73A: Dracena (ornamental, remove) and 3.73B: juvenile  
Sea Grape (Coccoloba uvifera, remove, not regulated)





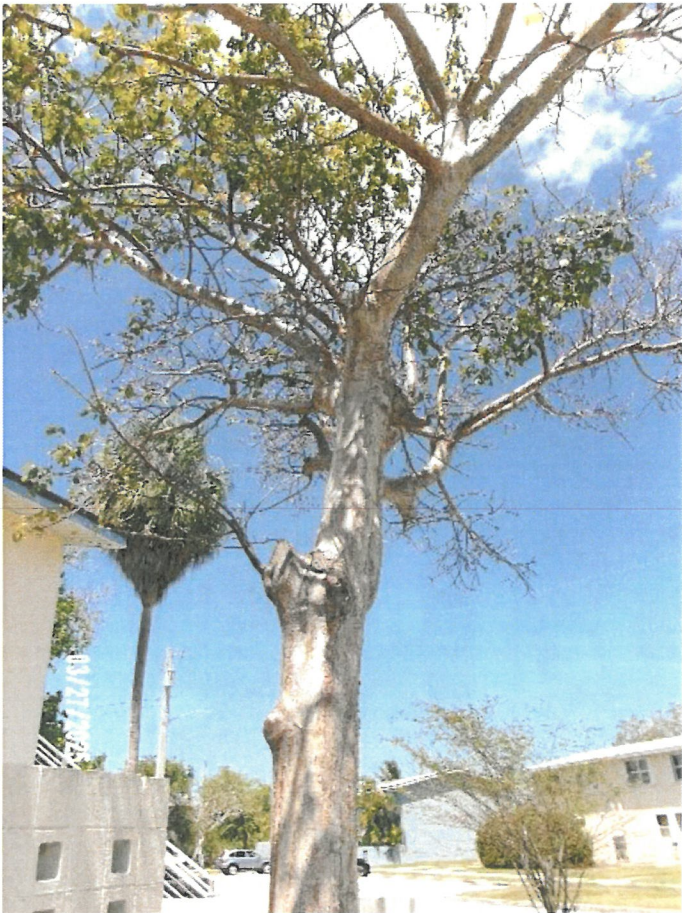
3.74: Dracena and 3.75: Dracena  
(remove, ornamentals)



3.76: Gumbo limbo (*Bursera simaruba*, remove, 13" dbh)



3.76: Gumbo Limbo





3.77: Bridalveil (*Caesalpinia granadillo*, remove, 5" dbh)



3.78 Sabal Palm (*Sabal palmetto*, to remain)



3.79 Cork Tree (*Thespesia populnea*, remove-INVASIVE)



3.80 Dracena (remove, ornamental)



3.81A (Hibiscus removed) Pygmy Date Palm (*Phoenix* sp., remove)





3.81B juvenile Green Buttonwood (*Conocarpus erectus*, remove, not regulated)



3.82A Hibiscus, 3.82B Rubber Tree, and 3.83 (Orchid tree, removed) Pygmy Date Palm (*Phoenix* sp., remove)



3.84 *Dracena* (remove, ornamental) and 3.85 Wild Coffee (*Psychotria nervosa*, remove, shrub)



3.87 *Dracena* (remove, ornamental)





3.88 Dracena and 3.89 Dracena (remove, ornamentals)



3.90 Dracena (remove, ornamental) and 3.91A Pigeon Plum (Coccoloba diversifolia, remove, 2"dbh)



3.91A Pigeon Plum





3.91B Dracena (remove, ornamental)



3.91C Ixora (Ixora sp., remove, ornamental shrub)



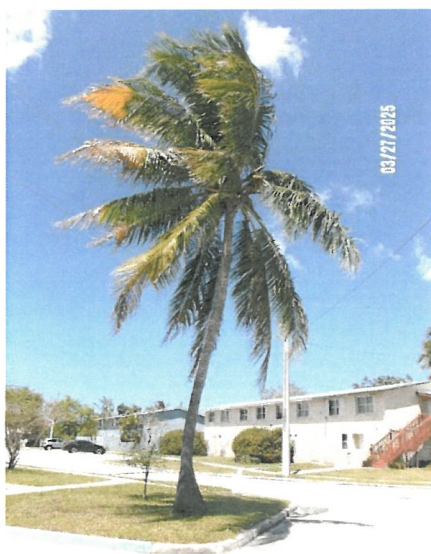
3.103 Gumbo Limbo (Bursera simaruba, to remain)



3.171 Brazilian Pepper (Schinus terebinthifolia, remove-INVASIVE)



2.51 Coconut Palm (Cocos nucifera, to remain)



2.52 Simpson Stopper (Myrcianthes fragans, remove, not regulated)





Photos of rear property line area- location of trees 3.138-3.158.



SUMMARY: Most of the vegetation to be directly impacted by the demolition of the existing structure and building of a new structure are not regulated, ornamental plants. The following trees and palms are regulated and will require mitigation for their removal; 3.72 Sabal Palm, 3.76 Gumbo Limbo, 3.77 Bridalveil, and 3.91A Pigeon Plum. A tree removal permit has already been issued for the removal of tree 3.66, Strangler Fig, that allowed for the entire canopy of the tree to be removed (permit #T2022-0419). The remaining stump with regrowth will be removed during this project with the required mitigation of (1) 8 ft tall approved tree, minimum of 1" diameter, FL#1, to be planted within this development area and incorporated into the landscape plan.

Two Sabal Palms, trees 3.67 and 3.78, one sea grape tree, tree 3.65A, and one Gumbo Limbo, tree 3.103, are to remain along with vegetation growing along the rear property line, trees 3.138 to 3.158, and the buffer area with building 1621, trees 3.159 to 3.176. All of these palms and trees shall be protected during demolition and construction.

There is also a Tree Commission Settlement Agreement related to the larger property area whose planting conditions need to be incorporated into this development plan. On January 3, 2024, the Florida Keys Outreach Coalition (FKOC) agreed to replant two trees, one (1) Gumbo Limbo and one (1) Royal Poinciana tree, each tree a minimum of 3 caliper inches, FL#1, to be planted on site and not included as part of the required development plan landscape requirements (over and above). Trees must be specifically identified on the site plans. Condition 2B of the agreement states that the required trees will be planted prior to the issuance of any CO's (certificate of occupancy) for the new or redeveloped structures, therefore, these two trees need to be added to the proposed landscape plan for this development project. A copy of the settlement agreement is attached to this report.

*Karen DeMaria*

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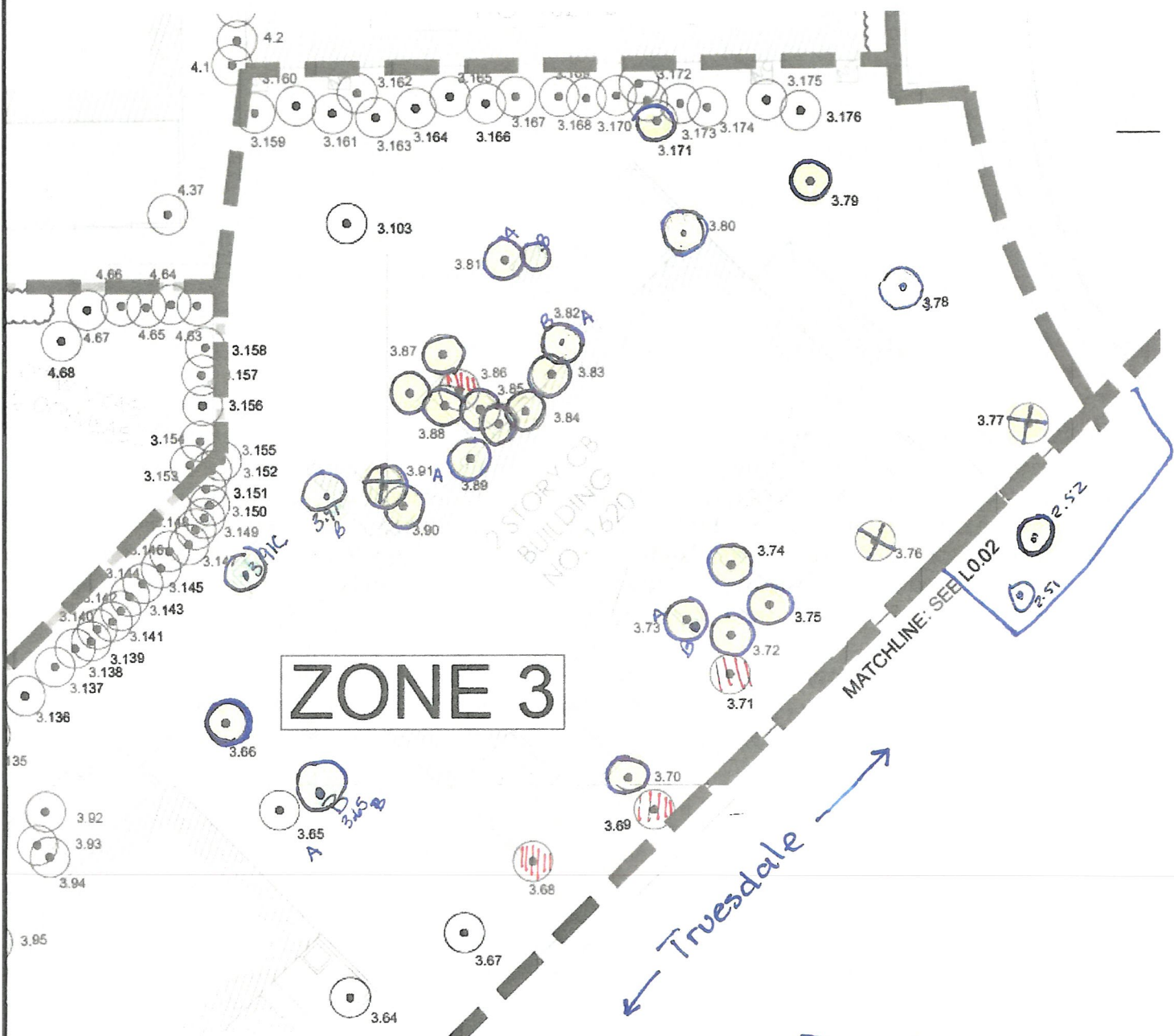
Karen DeMaria

*4/2/25*

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Date





- remain
- ⊗ TC permit
- remove
- |||| tree gone, plant



VEGETATION WITHIN 1620 TRUESDALE DEVELOPMENT AREA

| Number | Common           | Botanical              | Diameter (inches) | Size: H x W (feet)   | Condition | Action | Notes                                                                     |
|--------|------------------|------------------------|-------------------|----------------------|-----------|--------|---------------------------------------------------------------------------|
| *3.65A | Sea grape        | Coccoloba uvifera      | 9.4"              | 10-12X4-5            | Poor      | REMAIN | Between Bldg 1619 and 1620: regrowth-trim PROTECT                         |
| 3.65B  | Potato Tree      | Solanum donianum       | shrub             | shrub                | Fair      | Remove | Between Bldg 1619 and 1620. Growing next to sea grape tree.               |
| *3.66  | Strangler Fig    | Ficus aurea            | 26.3"             |                      | Poor      | Remove | Between Bldg 1619 and 1620: removal permit issued (T2022-0419).           |
| *3.67  | Sabal Palm       | Sabal palmetto         |                   | 30-35 OA             | Good      | REMAIN | Between Bldg 1619 and 1620. PROTECT                                       |
| 3.68   | xCitrus          |                        |                   | 4                    | Poor      | Remove | Bldg 1620. 3-27-25 No longer on site.                                     |
| 3.69   | xFoxtail Palm    | Wodyetia bifurcata     |                   | 10-12 OA             | Fair      | Remove | Bldg 1620. 3-27-25 no longer on site.                                     |
| 3.70   | Pygmy Date Palm  | Phoenix roebelenii     |                   | 5 OA                 | Fair      | Remove | Bldg 1620                                                                 |
| 3.71   | xFirebush        | Hamelia patens         | shrub             | 4                    | Fair      | Remove | Bldg 1620. 3-27-25 no longer on site.                                     |
| *3.72  | Sabal Palm       | Sabal palmetto         |                   | 20-25 OA             | Good      | Remove | Bldg 1620                                                                 |
| 3.73 A | Dracaena         | Dracaena spp           |                   | 7                    | Poor      | Remove | Bldg 1620. Almost dead.                                                   |
| 3.73 B | Sea Grape        | Coccoloba uvifera      | 1"                | 6 ft tall            | Fair      | Remove | Bldg 1620. Juvenile tree-not regulated.                                   |
| 3.74   | Dracaena         | Dracaena spp           |                   | 6                    | Fair      | Remove | Bldg 1620                                                                 |
| 3.75   | Dracaena         | Dracaena spp           |                   | 18-20                | Fair      | Remove | Bldg 1620                                                                 |
| *3.76  | Gumbo Limbo      | Bursera simaruba       | 13"               | 16-18 OA             | Fair      | Remove | Bldg 1620                                                                 |
| *3.77  | Bridalveil       | Caesalpinia granadillo | 5"                | 8-10 OA              | Very Poor | Remove | Bldg 1620: Topped shrub                                                   |
| *3.78  | Sabal Palm       | Sabal palmetto         |                   | 25-30 wood, 35-40 OA | Good      | REMAIN | Bldg 1620. PROTECT                                                        |
| 3.79   | Cork Tree        | Thespesia populnea     |                   | 25-30X20-35          | Poor      | Remove | Bldg 1620: Partial uprooted, invasive                                     |
| 3.80   | Dracaena         | Dracaena spp           |                   | 6                    | Fair      | Remove | Bldg 1620.                                                                |
| 3.81 A | xHibiscus        | Hibiscus spp           |                   | 6                    | Fair      | Remove | Bldg 1620. 3-27-26 no longer on site.                                     |
| 3.81A  | Pygmy Date Palm  | Phoenix roebelenii     |                   | double, 4 ft OA      | Fair      | Remove | Bldg 1620                                                                 |
| 3.81 B | Green Buttonwood | Conocarpus erectus     | 0.5"              | 6                    | Fair      | Remove | Bldg 1620. Juvenile tree-not regulated.                                   |
| 3.82A  | Hibiscus         | Hibiscus spp           |                   | 7                    | Fair      | Remove | Bldg 1620                                                                 |
| 3.82B  | Pygmy Date Palm  | Phoenix roebelenii     |                   | 3                    | Fair      | Remove | Bldg 1620                                                                 |
| 3.83   | xOrchid Tree     | Bauhinia variegata     |                   | 18-20                | Poor      | Remove | Bldg 1620: Diseased. 3-27-25 no longer on site.                           |
| 3.83   | Rubber Tree      | Ficus sp.              | 2"                |                      | Fair      | Remove | Bldg 1620                                                                 |
| 3.84   | Dracaena         | Dracaena spp           |                   | 15                   | Fair      | Remove | Bldg 1620                                                                 |
| 3.85   | Wild Coffee      | Psychotria nervosa     | shrub             | shrub                | Fair      | Remove | Bldg 1620. Shrub                                                          |
| 3.86   | xFoxtail Palm    | Wodyetia bifurcata     |                   | 9 OA                 | Good      | Remove | Bldg 1620. 3-27-25 No longer on site.                                     |
| 3.87   | Dracaena         | Dracaena spp           |                   | 6,5                  | Fair      | Remove | Bldg 1620                                                                 |
| 3.88   | Dracaena         | Dracaena spp           |                   | 10-12                | Fair      | Remove | Bldg 1620                                                                 |
| 3.89   | Dracaena         | Dracaena spp           |                   | 7                    | Fair      | Remove | Bldg 1620                                                                 |
| 3.90   | Dracaena         | Dracaena spp           |                   | 12                   | Fair      | Remove | Bldg 1620                                                                 |
| *3.91A | Pigeon Plum      | Coccoloba diversifolia | 2"                | 10                   | Poor      | Remove | Bldg 1620: Resprouted from stump                                          |
| 3.91B  | Dracena          | Dracena spp.           |                   | 7                    | Fair      | Remove | Bldg 1620                                                                 |
| 3.91C  | Ixora            | Ixora sp.              | shrub             | 4                    | Fair      | Remove | Bldg 1620                                                                 |
| *3.103 | Gumbo Limbo      | Bursera simaruba       | 17.8"             | 15-20X25-30          | Fair      | REMAIN | Rear bldg 1620. PROTECT                                                   |
| 3.138  | Dwarf Jasmine    | Radermachera kunming   | shrub             | 18-20                | Fair      | REMAIN | Fence line in between and behind Bldgs 1619 and 1620, behind fence, hedge |
| 3.139  | Dwarf Jasmine    | Radermachera kunming   | shrub             | 18-20                | Fair      | REMAIN | Fence line in between and behind Bldgs 1619 and 1620, behind fence, hedge |
| *3.140 | Pigeon Plum      | Coccoloba diversifolia | 3.4"              | 16-18                | Fair      | REMAIN | Fence line in between and behind Bldgs 1619 and 1620, behind fence, hedge |
| 3.141  | Dwarf Jasmine    | Radermachera kunming   | 2.7"              | 16-18                | Fair      | REMAIN | Fence line in between and behind Bldgs 1619 and 1620, behind fence, hedge |
| 3.142  | Dwarf Jasmine    | Radermachera kunming   | 1"                | 16-18                | Fair      | REMAIN | Fence line in between and behind Bldgs 1619 and 1620, behind fence, hedge |
| 3.143  | Dwarf Jasmine    | Radermachera kunming   | 2"                | 16-18                | Fair      | REMAIN | Fence line in between and behind Bldgs 1619 and 1620, behind fence, hedge |
| 3.144  | Dwarf Jasmine    | Radermachera kunming   | 2.6"              | 16-18                | Fair      | REMAIN | Fence line in between and behind Bldgs 1619 and 1620, behind fence, hedge |



|                  |                             |                                    |               |             |      |                   |                                                                           |
|------------------|-----------------------------|------------------------------------|---------------|-------------|------|-------------------|---------------------------------------------------------------------------|
| *3.145           | Pigeon Plum                 | Coccoloba diversifolia             | 2.3"          | 16-18       | Fair | REMAIN            | Fence line in between and behind Bldgs 1619 and 1620, behind fence, hedge |
| 3.146            | Podocarpus                  | Podocarpus macrophylls 'Maki'      | shrub         | 16-18       | Fair | REMAIN            | Fence line in between and behind Bldgs 1619 and 1620, behind fence, hedge |
| 3.147            | Podocarpus                  | Podocarpus macrophylls 'Maki'      | shrub         | 16-18       | Fair | REMAIN            | Fence line behind Bldg 1620, behind fence, hedge                          |
| 3.148            | Podocarpus                  | Podocarpus macrophylls 'Maki'      | shrub         | 16-18       | Fair | REMAIN            | Fence line behind Bldg 1620, behind fence, hedge                          |
| 3.149            | Podocarpus                  | Podocarpus macrophylls 'Maki'      | shrub         | 16-18       | Fair | REMAIN            | Fence line behind Bldg 1620, behind fence, hedge                          |
| 3.150            | Dwarf Jasmine               | Radermachera kunming               | 3.1"          | 16-18       | Fair | REMAIN            | Fence line behind Bldg 1620, behind fence, hedge                          |
| 3.151            | Dwarf Jasmine               | Radermachera kunming               | 2.3"          | 16-18       | Fair | REMAIN            | Fence line behind Bldg 1620, behind fence, hedge                          |
| *3.152           | Pigeon Plum                 | Coccoloba diversifolia             | 6.2"          | 25-30X10-12 | Fair | REMAIN            | Fence line behind Bldg 1620, behind fence, hedge                          |
| *3.153           | Gumbo Limbo                 | Bursera simaruba                   | 15.9"         | 30-35X20-25 | Fair | REMAIN            | Fence line behind Bldg 1620, behind fence, hedge                          |
| 3.154            | Wild Coffee                 | Psychotria nervosa                 | shrub         | 6           | Fair | REMAIN            | Fence line behind Bldg 1620. Hedged                                       |
| 3.155            | Podocarpus                  | Podocarpus macrophylls 'Maki'      | shrub         | 20-25       | Fair | REMAIN            | Fence line behind Bldg 1620, behind fence, hedge                          |
| 3.156            | Podocarpus                  | Podocarpus macrophylls 'Maki'      | shrub         | 20-25       | Fair | REMAIN            | Fence line behind Bldg 1620, behind fence, hedge                          |
| 3.157            | Podocarpus                  | Podocarpus macrophylls 'Maki'      | shrub         | 20-25       | Fair | REMAIN            | Fence line behind Bldg 1620, behind fence, hedge                          |
| 3.158            | Podocarpus                  | Podocarpus macrophylls 'Maki'      | shrub         | 20-25       | Fair | REMAIN            | Fence line behind Bldg 1620, behind fence, hedge                          |
| *3.159           | Spanish Stopper             | Eugenia foetida                    | 4.8" (multi)  | 10-12X5     | Fair | REMAIN            | Buffer between Bldg 1620 and 1621.                                        |
| *3.160           | Blolly                      | Guaiacum sanctum                   | 13.2" (multi) | 15-18X10-12 | Fair | REMAIN            | Buffer between Bldg 1620 and 1621.                                        |
| 3.161            | Wild Coffee                 | Psychotria nervosa                 | shrub         | 7-8         | Fair | REMAIN            | Buffer between Bldg 1620 and 1621.                                        |
| *3.162           | Fiddlewood                  | Citharexylum fruticosum            | 3" (multi)    | 10X5        | Fair | REMAIN            | Buffer between Bldg 1620 and 1621.                                        |
| *3.163           | Silver Buttonwood           | Conocarpus erectus ver. Sericeus   | 7"            | 12-15X8     | Poor | REMAIN            | Buffer between Bldg 1620 and 1621. Lightning damage, topped, scorched     |
| *3.164           | Spicewood                   | Calyptanthus pallens               | 4.6" (multi)  | 15X5        | Fair | REMAIN            | Buffer between Bldg 1620 and 1621.                                        |
| *3.165           | Blolly                      | Guapira discolor                   | 14.2"         | 15X18       | Fair | REMAIN            | Buffer between Bldg 1620 and 1621.                                        |
| *3.166           | Spicewood                   | Calyptanthus pallens               | 3.2" (multi)  | 10-12X4-5   | Fair | REMAIN            | Buffer between Bldg 1620 and 1621.                                        |
| *3.167           | Gumbo Limbo                 | Bursera simaruba                   | 5.2"          | 25X8-10     | Poor | REMAIN            | Buffer between Bldg 1620 and 1621.                                        |
| *3.168           | Spicewood                   | Calyptanthus pallens               | 3.5" (multi)  | 12-15X4     | Fair | REMAIN            | Buffer between Bldg 1620 and 1621.                                        |
| *3.169           | Blolly                      | Guapira discolor                   | 9.1" (multi)  | 14-16X10-12 | Fair | REMAIN            | Buffer between Bldg 1620 and 1621.                                        |
| *3.170           | Spicewood                   | Calyptanthus pallens               | 3.5" (multi)  | 6-8X6       | Fair | REMAIN            | Buffer between Bldg 1620 and 1621.                                        |
| <del>3.171</del> | <del>Brazilian Pepper</del> | <del>Schinus terebinthifolia</del> |               |             |      | <del>Remove</del> | <del>Buffer between Bldg 1620 and 1621. Invasive</del>                    |
| *3.172           | Spicewood                   | Calyptanthus pallens               | 3" (multi)    | 15X5        | Poor | REMAIN            | Buffer between Bldg 1620 and 1621. Resprout                               |
| 3.173            | Wild Coffee                 | Psychotria nervosa                 | shrub         | 5           | Fair | REMAIN            | Buffer between Bldg 1620 and 1621.                                        |
| *3.174           | Blolly                      | Guapira discolor                   | 11" (multi)   | 15-18X10-12 | Poor | REMAIN            | Buffer between Bldg 1620 and 1621.                                        |
| 3.175            | Firebush                    | Hamilia patens                     | 2"            | 6           | Fair | REMAIN            | Buffer between Bldg 1620 and 1621.                                        |
| *3.176           | Silver Buttonwood           | Conocarpus erectus ver. Sericeus   | 6.3" (multi)  | 10-12       | Poor | REMAIN            | Buffer between Bldg 1620 and 1621.                                        |
| *2.51            | Coconut Palm                | Cocos nucifera                     |               | 25-30       | Fair | REMAIN            | Next to road. PROTECT                                                     |
| 2.52             | Simpson Stopper             | Myrcianthes fragrans               | 2" (multi)    | 8'-10'      | Poor | Remove            | Next to road. weed whacked and diaback                                    |

#### LEGEND

Invasive to be removed

Regulated to be removed

Non-regulated to be removed

\* Regulated Tree

x Tree not on site 3-27-25





THE CITY OF KEY WEST  
Tree Commission  
Post Office Box 1409  
Key West, FL 33041-1409

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April 24, 2023

Florida Keys Outreach Coalition LLC  
Attn: Niels Hubbell  
3154 Northside Drive, Suite #201  
Key West, FL 33040

Dear Applicant:

Our files indicate that a close out inspection was never conducted on the property located at **1620 Truesdell Court** for Tree Commission permit **T2022-0419**. The permit authorized the **Emergency Removal of (1) Strangler Fig tree** to be replaced with **(1) 8ft tall tree min 1" dbh, FL #1 native dicot or fruit tree(s) of choice from approved list, to be planted onsite**. Our records indicate that you are the property owner of record.

**This inspection is part of the requirement to complete your obligation for the Tree Commission permit.**

This is a letter to inform you that an inspection is **required** to close the file. Please complete the attached job completion form and return it to our office along with a **\$10 inspection fee**.

Please do not hesitate to contact the office at 305-809-3725 or at the number listed below for additional information and for verification so that the Tree Commission permit file can be closed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Karen DeMaria", is written over a light blue horizontal line.

Karen DeMaria  
Urban Forest Manager  
305-809-3768  
[kdemaria@cityofkeywest-fl.gov](mailto:kdemaria@cityofkeywest-fl.gov)





**THE CITY OF KEY WEST**  
**Tree Commission**  
Post Office Box 1409 Key West, FL 33041-1409  
Telephone: 305-809-3725

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**TREE COMMISSION OF THE CITY OF KEY WEST, FLORIDA**  
**COMPLIANCE SETTLEMENT AGREEMENT**

This ("Agreement"), is made and entered into this 3rd day of January 2024, by and between **Florida Keys Outreach Coalition (FKOC)**, having an address of PO Box 4767 Key West, FL 33040, ("Respondent") and the **City of Key West**, a municipal corporation, having an address of 1300 White Street, P.O. Box 1409, Key West, Florida 33041-1409, by and through the Tree Commission of the City of Key West, Florida ("Tree Commission").

**WITNESSETH**

**Whereas**, Chapter 110 of the Code of Ordinances for the City of Key West provides for hearings of violations, notice, procedure and compliance settlement with regard to the damage or destruction of certain protected trees; and

**Whereas**, in accordance with Chapter 110 of the Code of Ordinances for the City of Key West, the Tree Commission conducted a hearing and rendered a decision with respect to a certain violation of Chapter 110.

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein and for other good and valuable consideration, the parties agree as follows:

**1. Acceptance of Responsibility for Damage or Destruction:**

Respondent accepts full and complete responsibility for the damage or destruction of regulated trees on real property located at **Truesdale Court**, in the City of Key West, Florida, in violation of Chapter 110 of the Code of Ordinances for the City of Key West, as found in the findings made and decision issued by the Tree Commission at its original hearing held on September 13, 2022, and a rehearing held on December 11, 2023.

**2. Remedy:**

Pursuant to Section 110-291 of the Code of Ordinance for the City of Key West, the Tree Commission has ordered, and Respondent agrees to, the following remedy:

- a. The respondent (FKOC) shall plant two trees, one (1) Gumbo Limbo and one (1) Royal Poinciana tree, each tree a minimum of 3 inch caliper, FL #1, to be planted onsite and not included as part of the required development plan landscape requirements (over and above). Trees must be specifically identified on the site plans.
- b. It is recognized that this property area is in the process of being redeveloped. Required trees will be planted prior to the issuance of any CO's (certificate of occupancy) for the new or redeveloped structures.
- c. The respondent shall plant according to current 'Best Management Practices'.

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



- d. The City of Key West, Urban Forestry Program manager shall be contacted for inspection of required tree installation. A \$50 close out inspection fee is required.
- e. Consistent with permitting requirements, the replacement trees/palms shall remain alive for a minimum of 1 year after planting or replace with like.

The remedy as indicated above is based upon the value of the damaged or destroyed tree, as found by the Tree Commission.

3. **Penalty for Non-Performance:**

Failure of Respondent to comply with the remedy indicated in Paragraph 2 above shall result in the institution of any and all permitted administrative and legal actions.

4. **Sale of Property:**

In the event the subject property is sold prior to the completion of compliance with this Agreement, the new owner shall be subject to the terms and conditions of this Agreement. It shall be the duty of the selling property within ten days of the effective date of the sales contract to provide the buyer with a copy of this Agreement. The Urban Forestry Manager shall issue a letter to the property owner when compliance is achieved.

**IN WITNESS WHEREOF**, Respondent and the Tree Commission have caused this instrument to be executed as of the date first written.

**TREE COMMISSION**

City of Key West, Florida, a municipal corporation, by and through the Tree Commission of the City of Key West

Chairperson: **Russell Pope**

*[Signature]* for Russell Pope

Witness: *[Signature]*

Print Name: Tippi A. Korzid

Date: 1/3/2024

Respondent Representative: **Niels Hubbell,**  
Vice Chairman, FKOC

*[Signature]*

Witness: *[Signature]*

Print Name: Tippi A. Korzid

Date: 1/23/2024