

**Withdrawn
By
Applicant**

STAFF REPORT

DATE: July 25, 2014

RE: 616 Eaton Street (permit application #7005)

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

An application was received for the removal of **(1) Spanish Lime tree and (1) Sandbox tree**. A site inspection was done on July 21, 2014 and documented the following:

1. Tree Species: Spanish Lime (*Melicoccus bijugatus*)







Roof of church building

Side of tree trunk





Cavity hole at base of tree-extends straight back at least 1 foot.



Diameter: 39.8”

Location: 60% (backyard tree, growing very close to two historic structures)

Species: 100% (on protected tree list)

Condition: 60% (fair, hard to get accurate evaluation of health due to the tree being covered in vines, small to medium hole/cavity at base of tree)

Total Average Value = 73%

Value x Diameter = **29 replacement caliper inches**

2. Tree Species: Sandbox (*Hura crepitans*)













Diameter: 43.6”

Location: 80% (back yard tree, plenty of space)

Species: 50% (not on protected or not protected tree list)

Condition: 60% (fair, hard to get accurate evaluation of health of tree due to the vines growing along trunk and in canopy, some decay, especially in old cuts, observed on large branches)

Total Average Value = 63 %

Value x Diameter = **27.5 replacement caliper inches**

Note: There are many other trees located on the rest of the property. No plans have been submitted or processed by HARC, the building, or the planning departments regarding development of the property (see attached survey and photos of property below).

E-mails were sent to the applicant’s representatives requesting additional information.

Photos of Rest of the Property:



At the end of the driveway behind the existing historic house.



Standing behind house looking toward yards from houses on Elizabeth St.



Standing behind house and church building at interior of wooded area (rest of property). In the upper corner of the photo is a branch from the sandbox tree (looking toward Fleming St).



Interior of wooded area at rear corner looking at back yard of house on Fleming St.



Interior of wooded area looking toward back yard of house on Simonton St and old cistern.



Standing behind house looking toward the back yard of houses on Simonton St. Church property is to the right. Large branch from the sandbox tree is in the upper left corner of the photo.

E A T O N S T R E E T (5 0 ' R / W)

LEGAL DESCRIPTION (Parcel "1"): Prepared by undersigned:
A portion of land located on the Island of Key West, Monroe County, Florida and being a portions of Lots 1, 2, 3, & 4, Square 36, of William A. Whitehead's Map of the City of Key West, delineated in February 1829 and being more particularly described as follows: Commence at the Northeastery Right-of-Way Line of Simonton Street and the Southeastery Right-of-Way Line of Eaton Street for 186.80 feet to the Point of Beginning; thence N.49°53'10"E, and along the said Southeastery Right-of-Way line of Eaton Street a distance of 50.40 feet; thence S.40°06'50"E, and leaving the said Southeastery Right-of-Way line of Eaton Street a distance of 140.84 feet; thence S 05°44'58" W a distance of 50.27 feet; thence S.40°03'35"E, a distance of 82.13 feet; thence S.49°56'30"W, a distance of 47.54 feet; thence S.48°25'05"W, a distance of 11.50 feet; thence N.40°06'50"W, a distance of 38.56 feet; thence S.49°53'10"W, a distance of 41.50 feet; thence N.40°06'50"W, a distance of 43.67 feet; thence N.49°53'10"E, a distance of 39.50 feet; thence N.40°06'50"W, a distance of 87.50 feet; thence N.49°52'55"E, a distance of 46.03 feet; thence N.39°36'50"W, a distance of 88.50 feet to the said Southeastery Right-of-Way Line of Eaton Street and the Point of Beginning. Parcel contains 19018 square feet or 0.437 acres, more or less.

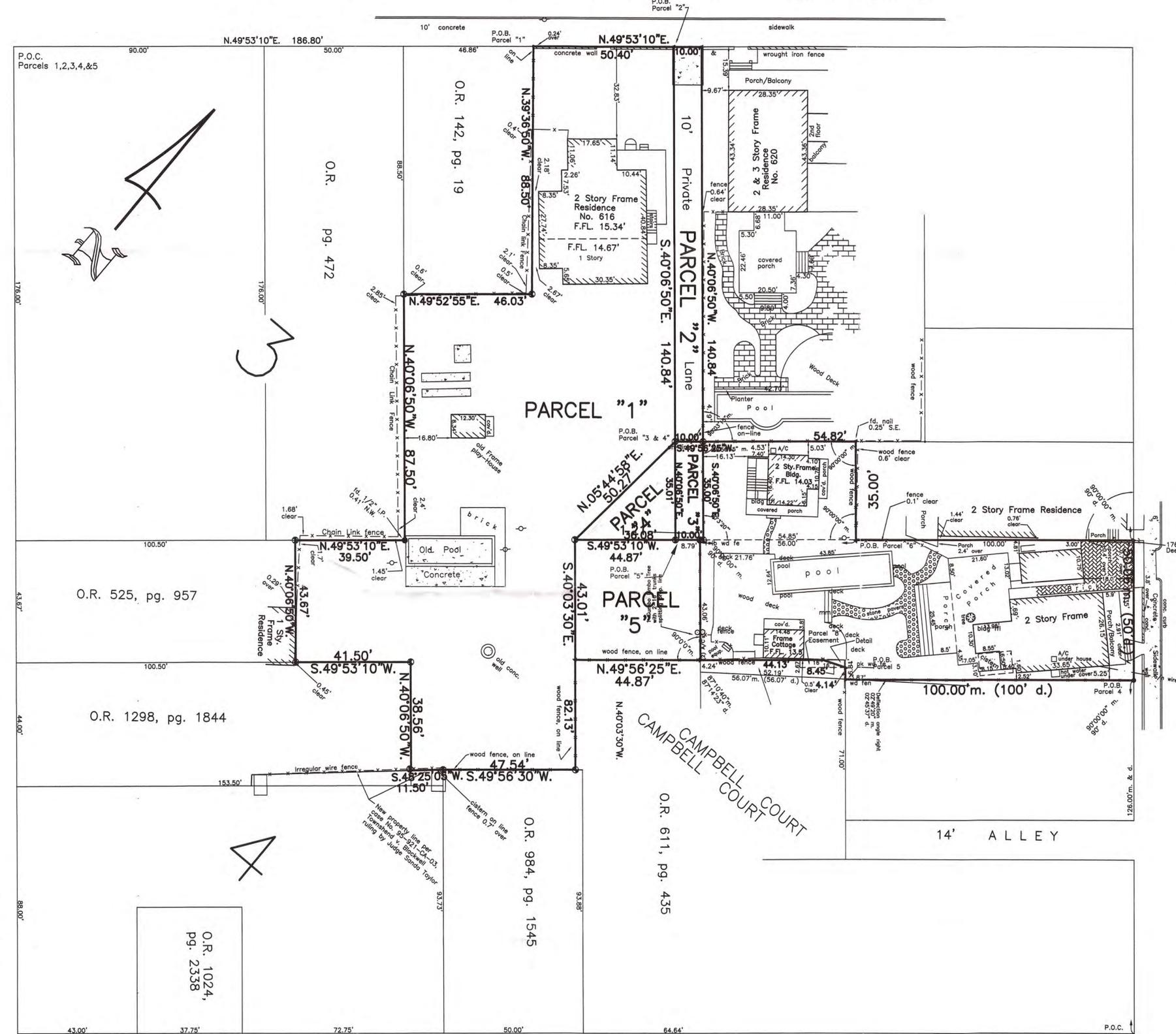
LEGAL DESCRIPTION (Parcel "2"): 10 Private Lane:
Prepared by undersigned:
A portion of land located on the Island of Key West, Monroe County, Florida and being a portion of Lot 2, Square 36, of William A. Whitehead's Map of the City of Key West, delineated in February 1829 and being more particularly described as follows: Commence at the Northeastery Right-of-Way Line of Simonton Street and the Southeastery Right-of-Way Line of Eaton Street; thence N 49°53'10" E along the said Southeastery Right-of-Way Line of Eaton Street for a distance of 237.20 feet to the Point of Beginning; thence continue N 49°53'10" E along the said Southeastery Right-of-Way Line of Eaton Street for a distance of 10.00 feet; thence S.40°06'50"E, and leaving the said Southeastery Right-of-Way Line of Eaton Street a distance of 140.84 feet; thence S 49°56'25" W for a distance of 10.00 feet; thence N 40°06'50" W for a distance of 140.84 feet to the said Southeastery Right-of-Way Line of Eaton Street and the Point of Beginning. Containing 1,408.4 square feet, or 0.32 acres, more or less.

LEGAL DESCRIPTION (Parcel "3"):
A portion of land located on the Island of Key West, Monroe County, Florida and being a portions of Lot 1, Square 36, of William A. Whitehead's Map of the City of Key West, delineated in February 1829 and being more particularly described as follows: Commence at the Northeastery Right-of-Way Line of Simonton Street and the Southeastery Right-of-Way Line of Eaton Street; thence N 49°53'10" E along the said Southeastery Right-of-Way Line of Eaton Street for 237.20 feet; thence S.40°06'50"E, and leaving the said Southeastery Right-of-Way Line of Eaton Street a distance of 140.84 feet to the Point of Beginning; thence N 49°56'25" E for a distance of 10.00 feet; thence S 40°06'50" E for a distance of 35.00 feet; thence S 49°53'10" W for a distance of 10.00 feet; thence N 40°06'50" W for a distance of 35.01 feet to the Point of Beginning. Containing 350.04 square feet, more or less.

LEGAL DESCRIPTION (Parcel "4"):
A portion of land located on the Island of Key West, Monroe County, Florida and being a portions of Lot 1, Square 36, of William A. Whitehead's Map of the City of Key West, delineated in February 1829 and being more particularly described as follows: Commence at the Northeastery Right-of-Way Line of Simonton Street and the Southeastery Right-of-Way Line of Eaton Street; thence N 49°53'10" E along the said Southeastery Right-of-Way Line of Eaton Street for 237.20 feet; thence S.40°06'50"E, and leaving the said Southeastery Right-of-Way Line of Eaton Street a distance of 140.84 feet to the Point of Beginning; thence continue S 40°06'50" E for a distance of 35.01 feet; thence S 49°53'10" W for a distance of 36.08 feet; thence N 05°44'58" E for a distance of 50.27 feet to the Point of Beginning. Containing 631.54 square feet, more or less.

LEGAL DESCRIPTION (Parcel "5"):
A portion of land located on the Island of Key West, Monroe County, Florida and being a portions of Lot 1, Square 36, of William A. Whitehead's Map of the City of Key West, delineated in February 1829 and being more particularly described as follows: Commence at the Northeastery Right-of-Way Line of Simonton Street and the Southeastery Right-of-Way Line of Eaton Street; thence N 49°53'10" E along the said Southeastery Right-of-Way Line of Eaton Street for 237.20 feet; thence S.40°06'50"E, and leaving the said Southeastery Right-of-Way Line of Eaton Street a distance of 175.85 feet to the Point of Beginning; thence N 49°53'10" E for a distance of 8.79 feet; thence S 40°03'35" E for a distance of 43.06 feet; thence S 49°56'25" W for a distance of 44.87 feet; thence N 40°03'30" W for a distance of 43.01 feet; thence N 49°53'10" E for a distance of 36.08 feet to the Point of Beginning. Containing 1930.95 square feet, more or less.

S I M O N T O N S T R E E T (5 0 ' R / W)



E L I Z A B E T H S T R E E T (5 0 ' R / W)

SURVEYOR'S NOTES:
North arrow based on assumed median
Reference Bearing: R/W Eaton Street, assumed
3.4 denotes existing elevation
Elevations based on N.G.V.D. 1929 Datum
Bench Mark No.: Basic Elevation: 14.324

Monumentation:
● = set 1/2" Iron Pipe, P.L.S. No. 2749
● = Found 1/2" Iron Pipe
● = Found 1/2" Iron Bar
▲ = Set P.K. Nail, P.L.S. No. 2749

Abbreviations:
Sty. = Story
R/W = Right-of-Way
fd. = Found
P. = Measured
O.R. = Official Records
N.T.S. = Not to Scale
Elev. = Elevation
B.M. = Bench Mark
w.m. = Water Meter
Bal. = Balcony
Pl. = Planter
o/h = Overhead
u/g = Underground
F.F.L. = Finish Floor Elevation
P.O.C. = Point of Commence
P.O.B. = Point of Beginning
P.B. = Plat Book
pg. = page
Elec. = Electric
Tel. = Telephone
Ench. = Encroachment
O.L. = On Line
C.L.F. = Chain Link Fence
A/C = Air Conditioner
Irr. = Irregular
conc. = concrete
I.P. = Iron Pipe
I.B. = Iron Bar
B. = Baseline
C.B. = Concrete Block
C.B.S. = Concrete Block Stucco
cov.d. = Covered
P.I. = Point of Intersection
wd. = Wood

Field Work performed on: 7/20/12

CERTIFICATION:
I HEREBY CERTIFY that the attached Composite Survey is true and correct to the best of my knowledge and belief; that it meets the minimum technical standards adopted by the Florida Board of Land Surveyors, Chapter 5J-17 Florida Statute Section 472.027, and the American Land Title Association, and that there are no visible encroachments unless shown hereon.

FREDERICK H. HILDEBRANDT
Professional Land Surveyor No. 2749
Professional Engineer No. 36810
State of Florida

NOT VALID UNLESS EMBOSSED WITH RAISED SEAL & SIGNATURE

| | | | |
|--|-------------|------------------------|-----------------|
| Far Nient LLC 616 Eaton Street, Key West, Florida 33040 | | | |
| Composite Survey | | Dwn No.: 13-101 | |
| Scale: 1"=20' | Ref. 130-12 | Flood panel No. 1516 K | Dwn. By: F.H.H. |
| Date: 1/6/05 | file | Flood Zone: X | Flood Elev. - |
| REVISIONS AND/OR ADDITIONS | | | |
| 7/24/12: Updated, owner, new legal descriptions | | | |
| 2/5/13: Updated, new legal descriptions | | | |
| f:\dataref\dwg\keywest\block31\416eaton | | | |

ISLAND SURVEYING INC.

ENGINEERS PLANNERS SURVEYORS

3152 Northside Drive
Suite 201
Key West, FL 33040

(305) 293-0466
Fax: (305) 293-0237
fhltd@islandsurveying.com
L.S. No. 7790



Karen DeMaria <kdemaria@keywestcity.com>

616 Eaton St

Karen DeMaria <kdemaria@keywestcity.com>

Tue, Jul 29, 2014 at 1:59 PM

To: Larrie Busloff <larriebusloff@yahoo.com>, Frank Kirwin <kirwin1@bellsouth.net>

Larrie and Frank:

I need additional information regarding why the applicant wants to remove the Spanish lime and the sandbox tree. I noticed numerous other protected and regulated trees on the property. What are the plans for those trees? What are the plans for the property?

This information will help the Tree Commissioners make an informed decision regarding the the fate of the trees.

Sincerely,

Karen

—

Karen DeMaria
Urban Forestry Manager
Certified Arborist
City of Key West
[305-809-3768](tel:305-809-3768)

Application



7005

Tree Permit Application

Date: JULY 26th 14

Please Clearly Print All Information unless indicated otherwise.

Tree Address 616 EATON
Cross/Corner Street CLIZARD
List Tree Name(s) and Quantity 1 SANDBOX, 1 SPANISH LIME
Species Type(s) check all that apply () Palm () Flowering (X) Fruit (X) Shade () Unsure
Reason(s) for Application:

- (X) REMOVE (X) Tree Health (X) Safety () Other/Explain below
 () TRANSPLANT () New Location () Same Property () Other/Explain below
 () HEAVY MAINTENANCE () Branch Removal () Crown Cleaning/Thinning () Crown Reduction

Additional Information and Explanation
SA-D BOX HAS MIDWINTER HOLLOW LIMBS & DEADWOOD
SPANISH LIME HAS CAVITY AT BASE

Property Owner Name EAR NIENITE LLC
Property Owner eMail Address 16 FIDUCIARY CONSULTING
Property Owner Mailing Address 30 E SEVENTH STREET #2000
Property Owner Mailing City ST PETERS State FL Zip 33104
Property Owner Phone Number (651) 228-1233
Property Owner Signature [Signature]

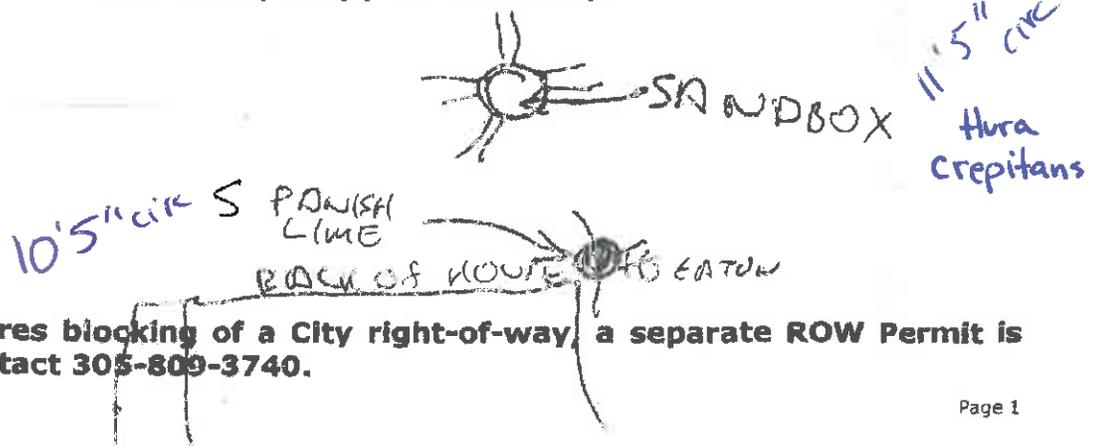
Representative Name LARLIE BURDIE
Representative eMail Address LARLIE@BURDIE.COM
Representative Mailing Address 410 AV. C
Representative Mailing City FL State FL Zip 33010
Representative Phone Number (305) 304-1581

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.

Tree Representation Authorization form attached ()

<<<<< Sketch location of tree in this area including cross/corner Street >>>>>

Please identify tree(s) with colored tape



If this process requires blocking of a City right-of-way, a separate ROW Permit is required. Please contact 305-809-3740.



Tree Representation Authorization

Date: July 9, 2014

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.

Tree Address 616 EATON STREET

Property Owner Name FAR NIENTE, LLC

Property Owner eMail Address 76 FIDUCIARY CONSULTING

Property Owner Mailing Address 306 SOUTH BAY STREET # 2000

Property Owner Mailing City STEVENSON State MD Zip 22104

Property Owner Phone Number (657) 228-0935

Property Owner Signature _____

Representative Name LARRIE BUSLOFF

Representative eMail Address LARRIEBUSLOFF@YAHOO.COM

Representative Mailing Address 410 AVE. C

Representative Mailing City KEY WEST State FL Zip 33040

Representative Phone Number (305) 304-1581

I Stanley Roy Moya, 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 is there is any questions or need access to my property.

Property Owner Signature

The forgoing instrument was acknowledged before me on this 15 day July, 2014.

By (Print name of Affiant) _____ who is personally known to me or has produced _____ as identification and who did take an oath.

NOTARY PUBLIC

Sign Name: Dominique Barrera

Print Name: Dominique Barrera

My Commission Expires: 5/13/18

Notary Public - State of Florida (seal)

DOMINIQUE BARRERA
MY COMMISSION # FF 082838
EXPIRES: May 13, 2018
Bonded Thru Budget Notary Services



Karen DeMaria <kdemaria@keywestcity.com>

Tree Permit

Frank Kirwin <kirwin1@bellsouth.net>

Wed, Jul 16, 2014 at 9:46 AM

To: kdemaria@keywestcity.com

Karen,

Attached is the tree permit application and the representation authorization. We would like to have this on the August 12th agenda. Thank you for your help. Please confirm receipt of this application by e-mail.

Frank Kirwin – Associate

Preferred Properties Key West

520 Southard Street

Key West, FL 33040

Office 305-294-3040 Cell 305-304-5253

Realtorfrankkirwin.com



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