



**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**

January 24, 2022

Tree Commission
City of Key West
Petitioner,

Vs.

Envy Pools LLC (Contractor)
Attn: Heather Tidwell
5635 4th Avenue
Key West, FL 33040

KWRH LLC (Property Owner)
817 Duval Street
Key West, FL 33040

An administrative hearing before the Tree Commission for the City of Key West will be held on **Monday, February 7, 2022**, 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. **Your presence is required at this Tree Commission meeting.**

Date of alleged violation: prior to January 7, 2022 at 1503 South Street, 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; or
 - (3) Any dicot/canopy tree which is four (4) inches or more in diameter at standard height (DSH);

Factual allegation: One (1) Guava tree, a protected species, and (1) Cherry tree, a regulated species, have been removed without benefit of a tree removal permit during the construction of a pool on the property.



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 via e-mail, regular mail, and certified U.S. Mail to the above named Respondent's listed address on this **24th day of January 2022**.

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

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

Staff Report

STAFF REPORT

DATE: January 28, 2022

RE: **Administrative Hearing for 1503 South Street (TC2022-0002)**

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

On January 7, 2022, during a site visit regarding a building permit application to install a pool in the back yard and one to install a perimeter fence at the adjoining property (same owner, formerly one parcel) I documented that two trees had been removed and a pool constructed where the trees formerly existed.

One Guava tree, a protected tree species and one cherry tree (a regulated trees species if over 4 inches diameter) formerly existed in the back yard area. There are no diameter measurements for the two removed trees.



Guava tree that was removed.



Cherry tree that
was removed.



Photo of
backyard and
new pool
during site
inspection.



Two photos of a Cherry tree and a Guava tree that the property owner planted to replace the two trees that were accidentally removed. The trees are of similar size (height) to the ones that were removed.

