City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Tree Commission

Tuesday, March 8, 2022 | **5:00 PM** | **City Hall**

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

FOR VISUAL PRESENTATIONS: Individuals are responsible to share their presentation at the meeting on their laptop through Zoom. For City Commission meetings the City Clerk's Office will need a copy for the agenda at least 6 days before the meeting.

Call Meeting To Order - 5:00 P.M.

Roll Call

Absent 2 - Commissioner Bravo, and Commissioner Fuller

Present 5 - Commissioner Cabanas, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

Pledge of Allegiance to the Flag

Administering the Oath by the Clerk of the Commission

Approval of Agenda - The agenda was unanimously approved as presented.

Approval of Minutes

1 February 7, 2022

A motion was made by Commissioner Cunningham, seconded by Vice Chair Pope, that the Minutes be Approved. The motion passed by unanimous vote.

New Business

2 1707 Bertha Street/T2021-0416/George Beys & Craig Kellogg
Represented by: Clifton Turner

Requesting approval to remove (1) Gumbo Limbo tree.

A motion was made by Commissioner Cunningham, seconded by Commissioner Cullen, in accordance with Sec. 110-327, to approve the removal of (1) Gumbo Limbo tree at 1707 Bertha Street to be replaced with 10.4 caliper inches of dicot or fruit trees from the approved list, FL #1, to be planted on site. The motion carried by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Fuller

Yes: 5 - Commissioner Cabanas, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

3 3026 Flagler Avenue/T2022-0022/Richard Kay Jr & Kimberley Armstrong
Represented by: Clifton Turner
Requesting approval to remove (2) Gumbo Limbo trees.

A motion was made by Commissioner Cunningham, seconded by Vice Chair Pope, in accordance with Sec. 110-327, to approve the removal of (1) Gumbo Limbo tree (Tree #1) at 3026 Flagler Avenue to be replaced with 11.9 caliper inches of dicot or fruit trees from the approved list, FL #1, to be planted on site. The motion carried by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Fuller
Yes: 5 - Commissioner Cabanas, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

Next, a motion was made by Vice Chair Pope, seconded by Commissioner Cunningham, in accordance with Sec. 110-328(1) that the removal of (1) Gumbo Limbo tree (Tree #2) at 3026 Flagler Avenue be denied due to the size and location of the tree. The motion passed by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Fuller

Yes: 5 - Commissioner Cabanas, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

4 918 Fleming Street/T2022-0024/Eric Douthit
Represented by: Keith Oropeza
Requesting approval to remove (2) Frangipani trees.

A motion was made by Vice Chair Pope, seconded by Commissioner Cullen, in accordance with Sec. 110-327, to approve the removal of (1) Frangipani tree (Tree #2) at 918 Fleming Street to be replaced with 13.6 caliper inches of dicot or fruit trees from the approved list, FL #1, to be planted on site. The motion carried by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Fuller
Yes: 5 - Commissioner Cabanas, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

Next, a motion was made by Commissioner Cabanas, seconded by Vice Chair Pope, in accordance with Sec. 110-327, to approve the removal of (1)

Frangipani tree (Tree #1) at 918 Fleming Street to be replaced with 6.4 caliper inches of dicot or fruit trees from the approved list, FL #1, to be planted on site. The motion carried by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Fuller

Yes: 5 - Commissioner Cabanas, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

5 708 William Street/T2022-0027/David Zolotow
Represented by: Sean Creedon-Treeman
Requesting approval to remove (1) ~~Acacia type~~ Texas Ebony tree.

A motion was made by Commissioner Cunningham, seconded by Commissioner Cullen, in accordance with Sec. 110-327, to approve the removal of (1) Texas Ebony tree at 708 William Street to be replaced with 5.7 caliper inches of dicot or fruit trees from the approved list, FL #1, to be planted on site. The motion carried by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Fuller

Yes: 5 - Commissioner Cabanas, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

6 912 Windsor Lane/T2022-0029/Lesa Bob & Jeffrey Saxe
Represented by: Kenneth King
Requesting approval to remove (1) Spanish Lime tree.

A motion was made by Vice Chair Pope, seconded by Commissioner Cabanas, in accordance with Sec. 110-327, to approve the removal of (1) Spanish Lime tree at 912 Windsor Lane to be replaced with 19 caliper inches of dicot or fruit trees from the approved list, FL #1, to be planted on site. The motion carried by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Fuller

Yes: 5 - Commissioner Cabanas, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

7 1218 Margaret Street/T2022-0035/Mark & Aasma Baker
Represented by: Kenneth King
Requesting approval to remove (1) Strangler Fig, (1) Spanish Lime, & (1) Jamaican Caper tree.

A motion was made by Vice Chair Pope, seconded by Commissioner Cabanas, in accordance with Sec. 110-327, to approve the removal of (1) Strangler Fig, (1) Spanish Lime, and (1) Jamaican Caper tree at 1218 Margaret Street to be replaced with 26.7 caliper inches of dicot or fruit trees from the approved list, FL #1, to be planted on site. The motion carried by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Fuller

Yes: 5 - Commissioner Cabanas, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

8 1009 Southard Street/T2022-0041/Neal Ruchman
Represented by: Kenneth King
Requesting approval to remove (1) Gumbo Limbo tree.

A motion was made by Commissioner Cunningham, seconded by Commissioner Cabanas, in accordance with Sec. 110-327, to approve the removal of (1) Gumbo Limbo tree at 1009 Southard Street to be replaced with 5.7 caliper inches of dicot or fruit trees from the approved list, FL #1, to be planted on site. The motion carried by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Fuller

Yes: 5 - Commissioner Cabanas, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

9 2520 Patterson Avenue/T2022-0042/Coleman & Alan Faircloth
Represented by: John Hartman
Requesting approval to remove (1) Sea Grape tree.

A motion was made by Commissioner Cunningham, seconded by Commissioner Cabanas, in accordance with Sec. 110-327, to approve the removal of (1) Sea Grape tree at 2520 Patterson Avenue to be replaced with 23.4 caliper inches of dicot or fruit trees from the approved list, FL #1, to be planted on site. The motion carried by the following vote:

No: 1 - Vice Chair Pope

Absent: 2 - Commissioner Bravo, and Commissioner Fuller

Yes: 4 - Commissioner Cabanas, Commissioner Cullen, Commissioner Cunningham, and Chairman McRAE

10 1404 Petronia Street/T2022-0043/John Calleja
Represented by: John Hartman
Requesting approval to remove (1) Gumbo Limbo tree.

A motion was made by Vice Chair Pope, seconded by Commissioner Cunningham, in accordance with Sec. 110-327, to approve the removal of (1) Gumbo Limbo tree at 1404 Petronia Street to be replaced with 11.9 caliper inches of dicot or fruit trees from the approved list, FL #1, to be planted on site. The motion carried by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Fuller

Yes: 5 - Commissioner Cabanas, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

11 901 Washington Street/T2022-0046/Denise M. Stack Rev. Trust
Represented by: Mark Harris-Diggin Key West LLC
Requesting approval to remove (1) Verawood tree.

A motion was made by Commissioner Cunningham, seconded by Commissioner Cabanas, in accordance with Sec. 110-327, to approve the removal of (1) Verawood tree at 901 Washington Street to be replaced with 4.8 caliper inches of dicot or fruit trees from the approved list, FL #1, to be planted on site. The motion carried by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Fuller

Yes: 5 - Commissioner Cabanas, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

12 1039 Catherine Street/T2022-0058/Melissa Jessup
Represented by: Kenneth King
Requesting approval to remove (1) Gumbo Limbo tree.

A motion was made by Commissioner Cabanas, seconded by Commissioner Cullen, in accordance with Sec. 110-327, to approve the removal of (1) Gumbo Limbo tree at 1039 Catherine Street to be replaced with 3.9 caliper inches of dicot or fruit trees from the approved list, FL #1, to be planted on site. The motion carried by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Fuller

Yes: 5 - Commissioner Cabanas, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

Old Business

13 824 Thomas Street/T2022-0017/Thomas Spire LLC-Nils Goran Hagbarth
Represented by: John Hartman
Requesting approval to remove (1) Sapodilla tree.

A motion was made by Commissioner Cunningham, seconded by Vice Chair Pope, to table this item to the end of the meeting. The motion passed by unanimous vote.

A motion was made by Vice Chair Pope, seconded by Commissioner Cullen, in accordance with Sec. 110-327, to approve the removal of (1) Sapodilla tree at 824 Thomas Street to be replaced with 27.5 caliper inches of dicot or fruit trees from the approved list, FL #1, to be planted on site with the condition that at least one replacement is a Sapodilla tree. The motion carried by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Fuller

Yes: 5 - Commissioner Cabanas, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

New Business Continued

14 715 William Street/T2022-0002/Steven & Carol Schanker
Represented by: John Mumford
Requesting approval to remove (1) Mango and (1) Calophyllum tree.

A motion was made by Commissioner Cunningham, seconded by Vice Chair Pope, to table this item to the end of the meeting. The motion passed by unanimous vote.

A motion was made by Commissioner Cullen, seconded by Vice Chair Pope, that the Action Item be Postponed to April 11, 2022 due to lack of representation. The motion passed by unanimous vote.

Administrative Hearing

15 3434 Riviera Drive/TC2021-0007
Respondent: Joshua Correa-Caribbean Blue Services Inc.
Requesting the ability to pay the required Settlement Agreement fine in monthly installments instead of a lump sum.

A motion was made by Vice Chair Pope, seconded by Commissioner Cabanas, approving the request to pay the required Settlement Agreement fine in 3 monthly installments of $666.66 each, due on the 15th of March, April, and May. The motion carried by the following vote:

Absent: 2 - Commissioner Bravo, and Commissioner Fuller

Yes: 5 - Commissioner Cabanas, Commissioner Cullen, Commissioner Cunningham, Vice Chair Pope, and Chairman McRAE

Reports

16 Urban Forestry Manager's Report

Received and Filed

Assistant City Attorney's Report

Commissioner Comments

Public Comment

Adjournment - 6:18 P.M.