



T2022-0462

Tree Permit Application

Please Clearly Print All Information unless indicated otherwise. Date: 10-31-22

Tree Address

Cross/Corner Street

List Tree Name(s) and Quantity

Reason(s) for Application:

☒ Remove

☐ Transplant

☐ Heavy Maintenance Trim

Additional Information and Explanation

☐ Tree Health ☐ Safety ☐ Other/Explain below

☐ New Location ☐ Same Property ☐ Other/Explain below

☐ Branch Removal ☐ Crown Cleaning/Thinning ☐ Crown Reduction

property owner request - root issues with structures (single family residence, porch, and pool)

Property Owner Name

Property Owner email Address

Property Owner Mailing Address

Property Owner Phone Number

Property Owner Signature

*Representative Name

Representative email Address

Representative Mailing Address

Representative Phone Number

City of Key West

PO Box 1409 KW FL 33041
(305) 807-3811

[Signature]

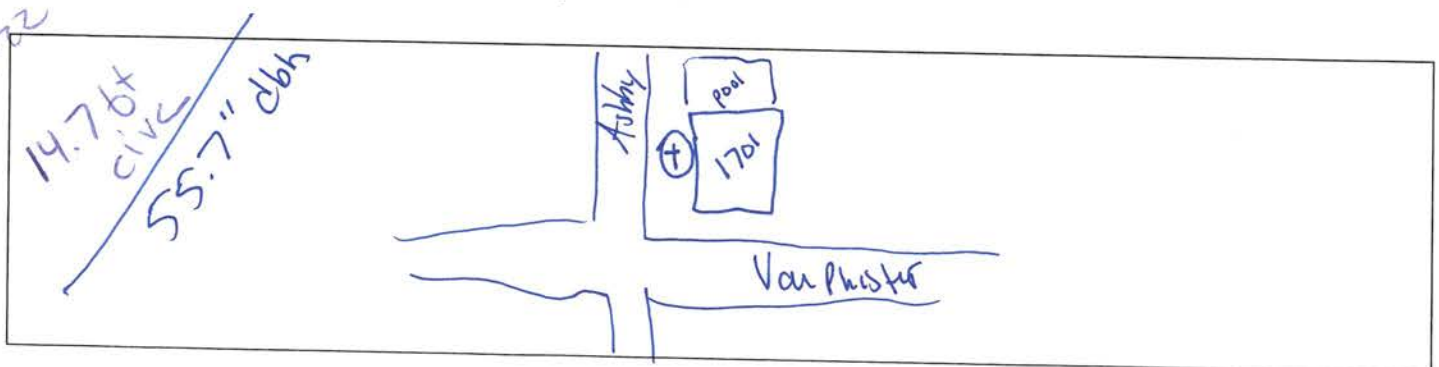
Eric Denhart - Property owner
1701 Van Phister

Submitted by: Karen Bellavia - Urban Forestry Manager

*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. See back of application for fee amounts.

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.





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 12-20-22
Tree Address 1701 Van Phister - Ashby ROW
Property Owner Name City of Key West
Property Owner Mailing Address PO Box 1409
Property Owner Mailing City, State, Zip KW FL 33041
Property Owner Phone Number (305) 807-3811
Property Owner email Address tdstoughton@cityofkeywest-fl.gov
Property Owner Signature [Signature]
Representative Name Eric Denhart
Representative Mailing Address 1701 Van Phister St
Representative Mailing City, State, Zip KW FL 33040
Representative Phone Number 305-797-5334
Representative email Address denharte@bellsouth.net

I Todd Stoughton 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 is any questions or need access to my property.

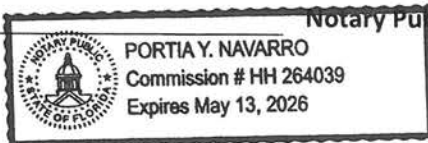
Property Owner Signature [Signature]

The forgoing instrument was acknowledged before me on this 20th day December, 2022.
By (Print name of Affiant) Todd Stoughton who is personally known to me or has produced as identification and who did take an oath.

Notary Public

Sign name: Portia Y. Navarro
Print name: PORTIA Y. NAVARRO

My Commission expires: _____ Notary Public-State of Florida (Seal)



Karen DeMaria

From: Karen DeMaria
Sent: Friday, December 16, 2022 9:33 AM
To: ERIC DENHART
Cc: Todd C. Stoughton
Subject: 1701 Von Phister City tree removal request
Attachments: 1701 Von Phister photos.pdf; T2020-0283 1701 Von Phister NPR.pdf

Eric:

It was nice chatting with you the other day at the tree. As we discussed, the application and request to remove the City mahogany tree will be placed on the January 10 Tree Commission agenda. The meeting starts at 5 p.m. and is held in the City Hall Chambers, 1300 White Street. You will need to attend the meeting to talk to the Tree Commission about your request to remove the tree. I will send you a reminder letter a week before the meeting. Please note that my role is to document the existing conditions of the tree.

As we also discussed, if you can email me photos of the damage the tree is causing to your house and pool area, that would be helpful to the file. Attached are some photos I have in the file of the tree roots. I will be uploading the report to the Tree Commissioners on Friday, December 30 so if you can get that to me before that day it would be great, otherwise, I can accept and forward any information you want them to have up until January 6. It is best that the Tree Commissioners have as much information as possible before the meeting in order to make an informed decision.

Sincerely,

Karen

Karen DeMaria

Urban Forestry Manager
Certified Arborist FL-6585A
City of Key West
305-809-3768



Karen DeMaria

From: Karen DeMaria
Sent: Wednesday, December 14, 2022 8:43 AM
To: Todd C. Stoughton
Subject: RE: [EXTERNAL] Mahogany Tree-Ashby St.

Yes, we spoke about it being placed on the January 10, 2023 meeting agenda.

Sincerely,

Karen

From: Todd C. Stoughton <tstoughton@cityofkeywest-fl.gov>
Sent: Wednesday, December 14, 2022 7:11 AM
To: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>
Subject: FW: [EXTERNAL] Mahogany Tree-Ashby St.

Karen,

Will Eric Denhart's request to have the mahogany tree next to his house be on the January Tree Commission meeting? I noticed it wasn't addressed last night and I don't remember if we discussed it being on the December or January meeting.

Respectfully,

Todd

From: Todd C. Stoughton
Sent: Monday, October 31, 2022 8:57 AM
To: ERIC DENHART <denharte@bellsouth.net>
Subject: FW: [EXTERNAL] Mahogany Tree-Ashby St.

Eric,

I spoke with both our legal department and our Urban Forester. The request will need to go in front of the Tree Commission and since the tree is on the City Right of Way we will prepare the request and permit and get put on the agenda. It is highly recommended that you show up to the meeting to provide pictures or whatever evidence you have for their review. I will let you know what day/time that is proposed.

Respectfully,

Todd

From: Todd C. Stoughton <tstoughton@cityofkeywest-fl.gov>
Sent: Monday, October 31, 2022 7:10 AM

Karen DeMaria

From: Todd C. Stoughton
Sent: Monday, October 31, 2022 8:54 AM
To: Karen DeMaria
Cc: Ronald Ramsingh
Subject: RE: [EXTERNAL] Mahogany Tree-Ashby St.

Understood. I will sign once you have it prepared and let him know he needs to prepare on his end for the Tree Commission meeting.

From: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>
Sent: Monday, October 31, 2022 8:49 AM
To: Todd C. Stoughton <tstoughton@cityofkeywest-fl.gov>
Cc: Ronald Ramsingh <rramsingh@cityofkeywest-fl.gov>
Subject: RE: [EXTERNAL] Mahogany Tree-Ashby St.

Interesting, Eric keeps telling me that he loves the tree and wants to keep it. He has also removed most of the roots along the house in the past few years and I have given him advise on root pruning the roots that go toward the pool area. We have spent money twice to trim the canopy, at his request. At this time I do not think the tree needs to be removed but he has the right to ask for due process.

I can not give approval of the removal of the tree. It is a protected tree and its removal is not an emergency. Therefore, only the Tree Commission can approve of the removal. I will put together an application for you to sign so it can be processed in front of the Tree Commission. Please expect lots of public comment. Eric will need to provide additional information regarding damage to his home if he wants successful review by the Tree Commission.

Sincerely,

Karen

From: Todd C. Stoughton <tstoughton@cityofkeywest-fl.gov>
Sent: Monday, October 31, 2022 7:10 AM
To: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>
Cc: Ronald Ramsingh <rramsingh@cityofkeywest-fl.gov>
Subject: FW: [EXTERNAL] Mahogany Tree-Ashby St.

Karen,

Eric has asked for removal of the tree on the City ROW due to the damage it has/is doing to his property. I have personally seen the damage the roots are doing to his pool area and living room floor. He called me first and I told him to put his request in writing which he has done.

Request your opinion or approval of tree removal.

Respectfully,

Todd

Karen DeMaria

From: Todd C. Stoughton
Sent: Monday, October 31, 2022 7:10 AM
To: Karen DeMaria
Cc: Ronald Ramsingh
Subject: FW: [EXTERNAL] Mahogany Tree-Ashby St.
Attachments: October 25, 2022.pdf

Karen,

Eric has asked for removal of the tree on the City ROW due to the damage it has/is doing to his property. I have personally seen the damage the roots are doing to his pool area and living room floor. He called me first and I told him to put his request in writing which he has done.

Request your opinion or approval of tree removal.

Respectfully,

Todd

From: ERIC DENHART <denharte@bellsouth.net>
Sent: Wednesday, October 26, 2022 10:42 AM
To: Todd C. Stoughton <tstoughton@cityofkeywest-fl.gov>
Subject: [EXTERNAL] Mahogany Tree-Ashby St.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sent from my iPhone

October 25, 2022

To: Todd Stoghton

From: Eric Denhart
1701 Von Phister Street
305-797-5334

Re: Mahogany Tree on Ashby Street

As you know I reside at 1701 Von Phister Street and have for the past 31 years. As I have previously reported to the city, my property is being severely damaged by a mahogany tree which is on city property on Ashby Street.

Damages by the tree and root system are affecting my foundation and concrete slab, plumbing, sewer lines, pool deck, tile work, perimeter fencing, interior walls and floors. When you visited my home, these damages were clearly observed.

The city, thru its Urban Forestry Department, have been on notice for many years that this has been occurring. Recent tree trimmings by the city have done nothing to address the ongoing damages.

The cause of damage has been well established. Negligence to act on it puts my family and property at constant risk.

Therefore, I demand that the city remove this tree.

My hope is that we may resolve this before litigation becomes necessary.

Thank you.

Karen DeMaria

From: Sean C <keystreeman@gmail.com>
Sent: Tuesday, August 23, 2022 4:55 PM
To: Karen DeMaria
Subject: [EXTERNAL] Re: 1701 Von Phister

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As far as I know the bookkeeper submitted the invoice.

Sean found the tree on vin phister to be in good health.

We are both down with COVID and that's the best I can do for now.

On Tue, Aug 23, 2022 at 4:52 PM Karen DeMaria <kdemaria@cityofkeywest-fl.gov> wrote:

Have you submitted an invoice for payment yet?

Also, can you please send me an email stating what you found to be the condition of the tree canopy when you were doing the trimming.

Thanks,

Karen

Karen DeMaria

Urban Forestry Manager

Certified Arborist FL-6585A

City of Key West

305-809-3768



1701 Von Phister



Karen DeMaria

From: Patti McLauchlin
Sent: Thursday, July 28, 2022 12:57 PM
To: Karen DeMaria; Todd C. Stoughton
Subject: RE: 1701 Von Phister tree trim-Eric Denhart UPDATE

Thank you

Patti McLauchlin
City Manager, City of Key West
305-809-3944

From: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>
Sent: Thursday, July 28, 2022 12:52 PM
To: Todd C. Stoughton <tstoughton@cityofkeywest-fl.gov>; Patti McLauchlin <pmclauchlin@cityofkeywest-fl.gov>
Subject: 1701 Von Phister tree trim-Eric Denhart UPDATE

I just wanted to give you both an update on the tree trimming request by Eric Denhart, 1701 Von Phister Street. The PO was issued and the mahogany tree is scheduled to be trimmed over Mr. Denhart's house by Treeman, Inc on Wednesday August 3. This work hopefully will resolve Mr. Denhart's immediate concerns. I will be on site when the work starts to review what is to be done by the arborist, Sean Creedon. I will send you both additional information once the work has been completed.

Sincerely,

Karen

Karen DeMaria

Urban Forestry Manager
Certified Arborist FL-6585A
City of Key West
305-809-3768



Karen DeMaria

From: ERIC DENHART <denharte@bellsouth.net>
Sent: Wednesday, May 18, 2022 11:32 AM
To: Karen DeMaria
Cc: Todd C. Stoughton
Subject: [EXTERNAL] Mahogany tree/Ashby St.
Attachments: May 18, 2022.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

May 18, 2022

To: Karen DeMaria

From: Eric Denhart

Karen,

I would like to know where the city is regarding the mahogany tree on Ashby Street.

Recently (April 6th) the city crew cut some overhanging limbs above the street on Ashby. This did not address any of my problems. We have discussed in detail the need for a canopy reduction, possible cabling, and removing the large limbs over my house. Hurricane season is coming, and outside contractors will be harder to schedule. As I have said many times if the city will not reduce the size of this tree and manage the threat it poses, I want it removed. I have tried to be patient and understanding but this need to be resolved.

Thank you,

Eric Denhart

Karen DeMaria

From: Karen DeMaria
Sent: Wednesday, April 6, 2022 4:56 PM
To: Todd C. Stoughton; Patti McLauchlin
Cc: Marcus A. Davila; Michael J. Turner; Katie P. Halloran
Subject: 1701 Von Phister Mahogany Tree trim UPDATE
Attachments: 1701 Von Phister trim work and update 4-6-22.pdf

All:

Today the City crews trimmed the mahogany tree in the right of way at 1701 Von Phister. The goal today was to reduce and balance the canopy with the work occurring over the road-Ashby Street. This work helped to reduce the weight on that side of the tree. The crews did a great job of trimming and cleaning up the area. Communications with the property owner-Eric Denhart, was done at numerous times this week including today. Once the trimming work was done I met with Eric. He seemed pleased with the trimming that has been done. We discussed the next phase of work on the tree-the trimming he wants done over the house. I explained that the crews can not do this work and that we would have to request estimates to have the work done. We also discussed cabling of several of the main trunks. While I do not see a need to do any cabling, there is a soft cabling method being used now which is not intrusive to the trees and would help ease Eric's mind regarding the potential threat of a tree trunk damaging the house during a storm event. There is a professional tree trimmer who has recently installed this system in a mahogany tree here in Key West and I am in the process of gathering more information regarding this product. Eric also said he was willing to help pay for the cabling. He would like the trimming work over his house done before hurricane season starts.

Attached are photos of the completed work, the tree prior to trimming, and the potential trimming work over the house.

Sincerely,

Karen

Karen DeMaria

Karen DeMaria
Urban Forestry Manager
Certified Arborist FL-6585A
City of Key West
305-809-3768





CITY OF KEY WEST

TREE PERMIT

Permit# T2022-0107 Date Issued April 1, 2022

Address 1701 Von Phister Street (right-of-way)

This is to certify that City of Key West

has permission to Heavy maintenance trim (1) Mahogany tree. Work to include the trimming of tree on roadside to balance canopy and reduce length of branches.

Once work has been done, tree will be re-evaluated for future additional trimming.

Work to be done according to current "Best Management Practices" and ANSI standards by a Certified Arborist or City of Key West licensed tree trimmer.

as per application approved April 1, 2022

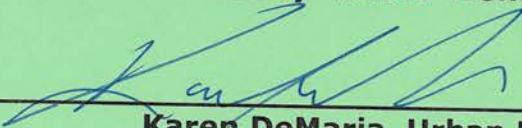
The person accepting this permit shall conform to the terms of the application on file in the office of the Tree Commission of Key West. All work shall conform to the requirements of the Code of Ordinances of the City of Key West, Chapter 110-Article VI. Tree Protection.

This Tree Permit is effective for 6 months from the date issued.

If this process requires blocking of a city right-of-way, a separate ROW Permit is required. Please contact the City of Key West at 305-809-3861.

IMPORTANT NOTICE

This card must be posted in a location clearly visible from the street and in a protected covering.

APPROVED BY 
Karen DeMaria, Urban Forestry Manager
City of Key West, Florida

Tree Commission
PO Box 1409
Key West, FL 33040
Phone: (305)809-3725



CL00413
T2022-0107 Row

Tree Permit Application

Please Clearly Print All Information unless indicated otherwise. Date: 3-31-22

Tree Address 1701 Van Phister Street Row
Cross/Corner Street Ashby
List Tree Name(s) and Quantity 1- Mahogany tree
Species Type(s) check all that apply () Palm () Flowering () Fruit (x) Shade () Unsure
Reason(s) for Application:
() Remove () Tree Health () Safety () Other/Explain below
() Transplant () New Location () Same Property () Other/Explain below
(x) Heavy Maintenance Trim (x) Branch Removal () Crown Cleaning/Thinning (x) Crown Reduction

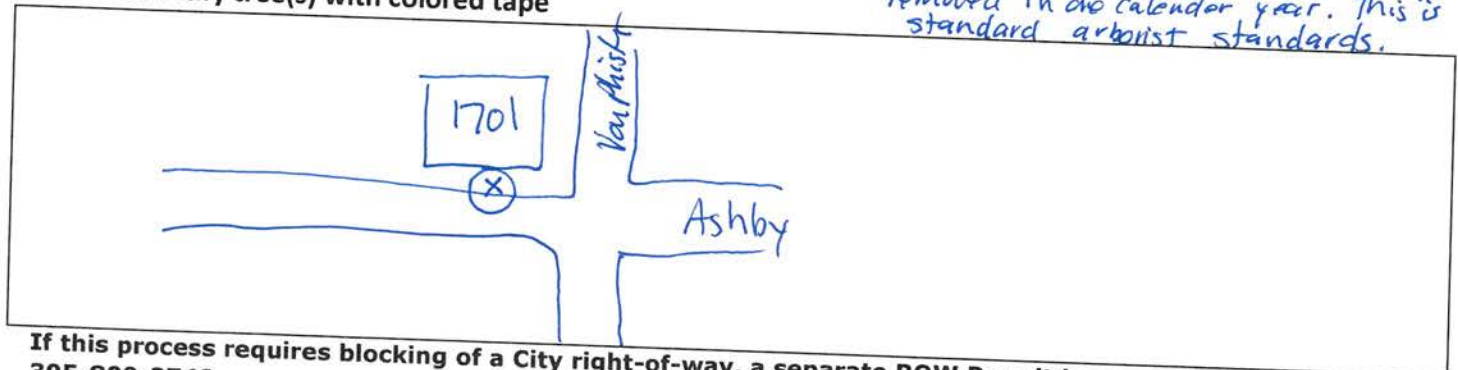
Additional Information and Explanation trim tree canopy on roadside of tree to balance canopy and reduce length of branches. Tree was trimmed a few years ago over house but not on street side. Once this work has been done then tree will be re-evaluated for future additional trimming.

Property Owner Name City of Key West
Property Owner email Address _____
Property Owner Mailing Address PO Box 1409 KW FL 33041
Property Owner Phone Number _____
Property Owner Signature [Signature] A.C.M.
Representative Name Karen Dellana- Urban Forestry Manager
Representative email Address (citizen request to trim tree)
Representative Mailing Address _____
Representative Phone Number 305-809-3768

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

For tree health purposes, it is only recommended that 30% of a canopy be removed in one calendar year. This is standard arborist standards.



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

1701 Von Phister Street



Standing on Ashby Street looking northwest at tree.



Standing on Ashby Street looking southeast at tree.

Karen DeMaria

From: Todd C. Stoughton
Sent: Wednesday, March 30, 2022 7:13 AM
To: Patti McLauchlin
Cc: Ronald Ramsingh; Katie P. Halloran; Laura Estevez; Marcus A. Davila; Michael J. Turner; Karen DeMaria
Subject: RE: 1701 Von Phister

Patti,

The current plan is for City staff to trim and balance the tree, including removing a large branch over the homeowners house. This is the wishes of the homeowner, but I believe we will be removing this tree in the next few years due to roots causing damage. The trim should be completed within the next two weeks.

Respectfully,

Todd

From: Patti McLauchlin <pmclauchlin@cityofkeywest-fl.gov>
Sent: Tuesday, March 29, 2022 7:56 PM
To: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>; Todd C. Stoughton <tstoughton@cityofkeywest-fl.gov>
Cc: Ronald Ramsingh <rramsingh@cityofkeywest-fl.gov>; Katie P. Halloran <katie.halloran@cityofkeywest-fl.gov>; Laura Estevez <lestevez@cityofkeywest-fl.gov>; Marcus A. Davila <madavila@cityofkeywest-fl.gov>; Michael J. Turner <mturner@cityofkeywest-fl.gov>
Subject: RE: 1701 Von Phister

My I get an update?

Patti McLauchlin
City Manager, City of Key West
305-809-3944

From: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>
Sent: Thursday, March 24, 2022 11:56 AM
To: Todd C. Stoughton <tstoughton@cityofkeywest-fl.gov>
Cc: Patti McLauchlin <pmclauchlin@cityofkeywest-fl.gov>; Ronald Ramsingh <rramsingh@cityofkeywest-fl.gov>; Katie P. Halloran <katie.halloran@cityofkeywest-fl.gov>; Laura Estevez <lestevez@cityofkeywest-fl.gov>; Marcus A. Davila <madavila@cityofkeywest-fl.gov>; Michael J. Turner <mturner@cityofkeywest-fl.gov>
Subject: RE: 1701 Von Phister

Jason Lee (new Landscape Foreman) and I are going to look at the tree on Tuesday morning, March 29. Our focus will be trimming of the tree canopy over the roadway area to balance the canopy as it is currently lopsided due to the trimming work that was done a few years ago over Mr. Denhart's house. I was not aware of the requests to do additional trimming next to his house but I will evaluate that area when on site on Tuesday and report back.

Sincerely,

Karen

Karen DeMaria

From: Todd C. Stoughton
Sent: Thursday, March 24, 2022 7:39 AM
To: Karen DeMaria
Cc: Patti McLauchlin; Ronald Ramsingh; Katie P. Halloran; Laura Estevez; Marcus A. Davila; Michael J. Turner
Subject: 1701 Von Phister

Karen,

I went to Eric Denhart's house on 1701 Von Phister and have listed my observations and opinions below for your review. I've brought Ron and Laura in for their liability awareness.

Just as you mentioned, Mr. Denhart has an outstanding opinion of you and the City which was refreshing. He is a self-proclaimed 'Tree Lover'. However, the tree depicted below does pose a risk to his home. I am not an arborist, nor any kind of tree expert so if I use the wrong terminology I apologize in advance. We discussed the following:

- Large Branch in the snip below needs to be removed as it poses the most immediate threat to his house. If the branch came down, it would land directly on the living area of the home. This would create an unbalanced tree which would require additional trimming on the street side.
- Mr. Denhart has had the tree trimmed with his own funds in the past but is asking for us to pay for future tree trimming. He did discuss with a local tree trimming company who told him they recommended a minimum of a 30% tree reduction on the crown of the tree.
- The roots of the tree have damaged the house. Mr. Denhart has replaced his tiled floor with wood due to the tiles cracking as the roots continue to grow under his house. There are portions of his flooring where you can see the floor being lifted by roots. These roots are also starting to pop his pool tiles around his pool deck.

In my opinion this is a major trimming which might be beyond what Community Services can do and we should consider using a professional tree trimming company. Mr. Denhart mentioned cabling which I am not familiar with, but the concept seems valid. We can spend \$3K to \$6K on immediate trimming but I still think we will be looking at removing the tree due to the root issue in the near future. I understand this would bring a lot of scrutiny on the City, but ultimately this tree will continue to damage the home until it is removed at the cost to the City.

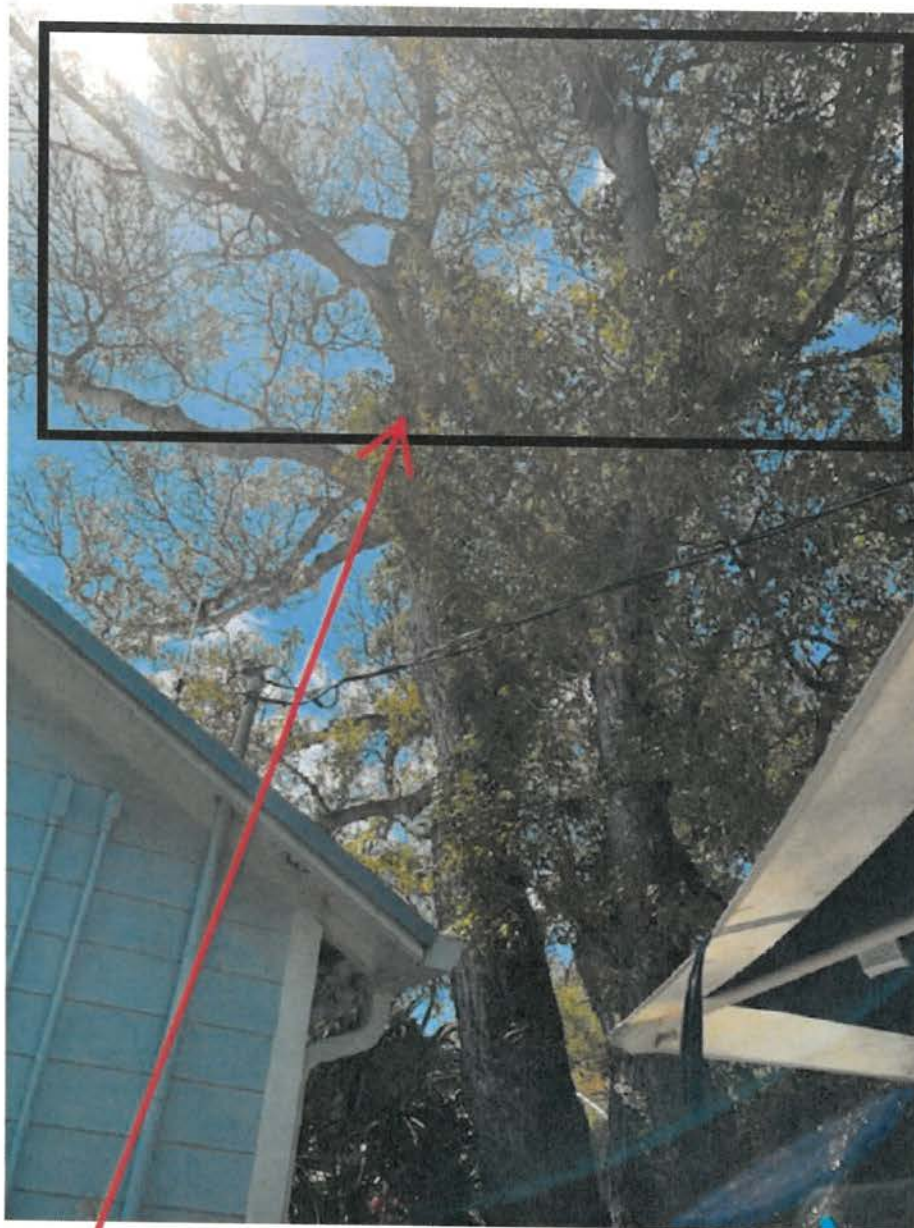
Please let me know how you would like to proceed after you review. Thank you.

Respectfully,

Todd



This limb should be removed as it poses a hazard to the home.



Major canopy trimming which would need to be contracted out.

Karen DeMaria

From: Karen DeMaria
Sent: Monday, March 14, 2022 3:41 PM
To: Ronald Ramsingh; Patti McLauchlin; Todd C. Stoughton
Cc: Katie P. Halloran
Subject: FW: Mahogany tree issue 1701 Von Phister
Attachments: 1701 Von Phister emails.pdf; 1701 Von Phister photos.pdf

I am forwarding this information to you all as the person I am corresponding with, Eric Denhart, has mentioned he might contact the City Manager. Attached is the additional correspondence I have had with him the past few months and some site photos. Eric lives at 1701 Von Phister and there is a huge mahogany tree on the City right of way growing next to his house. A year ago or so, at Eric's request, the City hired an arborist to trim tree branches growing over his house.

I do know Eric personally and have met and spoken with him numerous times the past three years about this tree. He always tells me he loves the tree and doesn't want it removed so I am not sure what he really wants. He is concerned about the tree falling over in a hurricane and destroying his house but based on my personal and professional knowledge of mahogany trees, they are amazing warriors in hurricanes. They do not tend to fall over but they will drop branches.

I have outlines below what I think needs to happen;

1. Heavy maintenance trim tree on road side to balance canopy.
2. Evaluate the tree canopy-is cabling necessary?

Sincerely,

Karen

From: Karen DeMaria
Sent: Monday, March 14, 2022 2:50 PM
To: ERIC DENHART <denharte@bellsouth.net>
Subject: RE: [EXTERNAL] To: Karen DeMaria

Eric:

Thank you so much for the information. I am very aware of cabling techniques and I am also researching best type for tropical trees. I am sure in your research you are aware that just because a technique has been done up north or in a different temperate zone does not mean it is appropriate here in the Keys in Zone 11. I do not like the invasive cabling techniques that drill holes into the trees especially when we have such a big issue with termites. As I have mentioned before, I have been talking to a couple of local Certified Arborists regarding a soft cabling system that is being used a lot now. I do agree that if the City does decide to do any cabling on their trees, it will have to be done by a professional with proven experience and knowledge.

I did recently inspect the City Mahogany that is growing next to your house. I do not see an immediate safety or health issue with the tree. I do think that the tree does need some basic maintenance trimming on the road side of the tree. Standard procedure with the City is to have the crews do the work. Since we have not had a foreman to do the

Karen DeMaria

From: Karen DeMaria
Sent: Monday, March 14, 2022 2:50 PM
To: ERIC DENHART
Subject: RE: [EXTERNAL] To: Karen DeMaria

Eric:

Thank you so much for the information. I am very aware of cabling techniques and I am also researching best type for tropical trees. I am sure in your research you are aware that just because a technique has been done up north or in a different temperate zone does not mean it is appropriate here in the Keys in Zone 11. I do not like the invasive cabling techniques that drill holes into the trees especially when we have such a big issue with termites. As I have mentioned before, I have been talking to a couple of local Certified Arborists regarding a soft cabling system that is being used a lot now. I do agree that if the City does decide to do any cabling on their trees, it will have to be done by a professional with proven experience and knowledge.

I did recently inspect the City Mahogany that is growing next to your house. I do not see an immediate safety or health issue with the tree. I do think that the tree does need some basic maintenance trimming on the road side of the tree. Standard procedure with the City is to have the crews do the work. Since we have not had a foreman to do the work or supervise the crews properly, and we have had limited crews, the work has not been done yet. I do plan on meeting with the new foreman, Jason Lee, at the tree to see if he is comfortable with doing the work. If he is not, then I can proceed to get quotes to do the work from outside arborists (2-3 estimates are required for processing of a work order). This is the procedures I must follow.

At this time, I have not addressed the need for cabling of this tree. Again, I will need to document the need, prepare paperwork to justify the cost then request estimates to do the work from professionals. This takes time and budget allotments. Right now, I do not even know what the cost would be. Also, I would want the recommendations of other professional arborists to create a plan prior to requesting estimates. If you want to have professional arborists look at the tree and create a written plan for the cabling, please share with me but know I can not hire anyone until a plan is created, approved, then estimates requested.

You can request to have the tree removed through the City Manager but the removal must be approved by the Tree Commission. As the City's certified arborist, I do not support removal of the tree at this time. You have already cut the roots away from your structure and the City, at your request, has trimmed the canopy over the house. I also do not control the work assignments of the tree crew or its foreman so if the City does decide to trim the tree, a heavy maintenance trimming permit will be issued but when the city crews do the work is dependent on other requested work that is already in the system.

I will let you know how my meeting goes with Mr. Lee, foreman.

Sincerely,

Karen

From: ERIC DENHART <denharte@bellsouth.net>
Sent: Monday, March 14, 2022 10:20 AM

Karen DeMaria

From: ERIC DENHART <denharte@bellsouth.net>
Sent: Monday, March 14, 2022 10:20 AM
To: Karen DeMaria
Subject: [EXTERNAL] To: Karen DeMaria
Attachments: To Karen DeMaria.pdf

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Sent from my iPhone

To: Karen DeMaria
From: Eric Denhart
Re: 1701 Von Phister Street
Mahogany Tree

Please find enclosed a few websites which reference accepted steps for proper cabling and canopy reduction techniques.

www.Urban.forestry.com

www.treecutpros.com

www.treesaregood.com

www.allabouttrees.com

I have spoken with Mathew Kenard, the supervisor of the Florida Forest Service, as well as arborist from the Urban Forestry Council regarding ANSI A300 standards and practices as well as standards for risk assessment.

This type of tree work is commonly done all over the state of Florida and the country.

It must be preformed by an experienced contractor with large tree experience, not a "new landscape foreman who has some tree trimming experience."

You and I spoke to such a contractor hired by Keys Energy from Asplundh over four months ago. We agreed that this issue could and should be addressed.

Hurricane season is just around the corner, this city owned tree must be made safe as the continued damage to my home and the danger it poses to my family remains totally unacceptable.

If we cannot come up with a mutually agreeable solution to this issue in the next two weeks, I will request the city manager have this tree removed.

Thank You,

Eric Denhart



Karen DeMaria

From: Karen DeMaria
Sent: Friday, March 4, 2022 3:16 PM
To: ERIC DENHART
Subject: RE: [EXTERNAL] Von Phister St Tree

Eric:

I have read your letter and will be reviewing your request in the next few weeks. I do wish to know who are the tree experts that agree the tree needs a major crown reduction so I can speak with them regarding what might be best for the tree as it is always good to have a consensus of experts and who has mentioned to you about cabling as I am interested in further information as to current techniques of cabling that have been done successfully here in the Keys. I have a tree on Frances Street that I am looking at as a candidate for cabling and any information you might have been given would be very helpful.

By the way, the City has just recently hired a new landscape foreman who has some tree trimming experience. I have not met him yet or verified his credentials but this is a hopeful and positive situation for the City as we now have someone on staff who might be able to do some of the required big tree trimming work.

Thank you for whatever additional, helpful information you can give to me and I will be in touch.

Sincerely,

Karen

From: ERIC DENHART <denharte@bellsouth.net>
Sent: Wednesday, February 23, 2022 12:50 PM
To: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>
Subject: [EXTERNAL] Von Phister St Tree

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February 22, 2022

To: Karen DeMaria

From: Eric Denhart
denharte@bellsouth.net
305-797-5334

I am becoming more concerned about the city owned mahogany tree adjacent to my home on Ashby St.

As previously pointed out, tree experts have agreed that the tree needs a major crown reduction. Furthermore, cabling would reduce the chance of the huge overhanging limbs from falling on my home.

I request that this become a priority and be addressed.

If the city is unwilling or unable to maintain this tree to acceptable standards, I will ask that it be removed.

Your timely response would be appreciated.

Thank you,
Eric Denhart

Karen DeMaria

From: Karen DeMaria
Sent: Wednesday, February 2, 2022 1:28 PM
To: ERIC DENHART
Subject: RE: [EXTERNAL] 1701 Von Phister St. Tree

I have received your email and will address it when I get a chance.

Thank you,

Karen

From: ERIC DENHART <denharte@bellsouth.net>
Sent: Thursday, January 27, 2022 11:09 AM
To: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>
Subject: [EXTERNAL] 1701 Von Phister St. Tree

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January 26, 2022

To: Karen DeMaria

From: Eric Denhart

As you know I have a very large mahogany tree adjacent to my home on Ashby Street. This tree lies on city property one foot from my property line. With guidance from Cynthia Snell and yourself I have personally maintained this tree for 30 years, paying for the removal of roots and overhanging limbs. This tree has become so large that the roots are now doing major damage to my foundation, interior floors and cement pool deck. This has become very expensive and is ruining my home.

Most recently a tree service expert from Asplundh hired by keys energy informed me that the tree requires a major crown reduction. This will reduce the wind load and add to the health of the tree.

The tree in its present condition poses great liability to my home and family. Since it lies on city property, responsibility lies with the city to properly maintain this tree.

I would appreciate the city addressing this problem as safety and property damage is a shared concern.

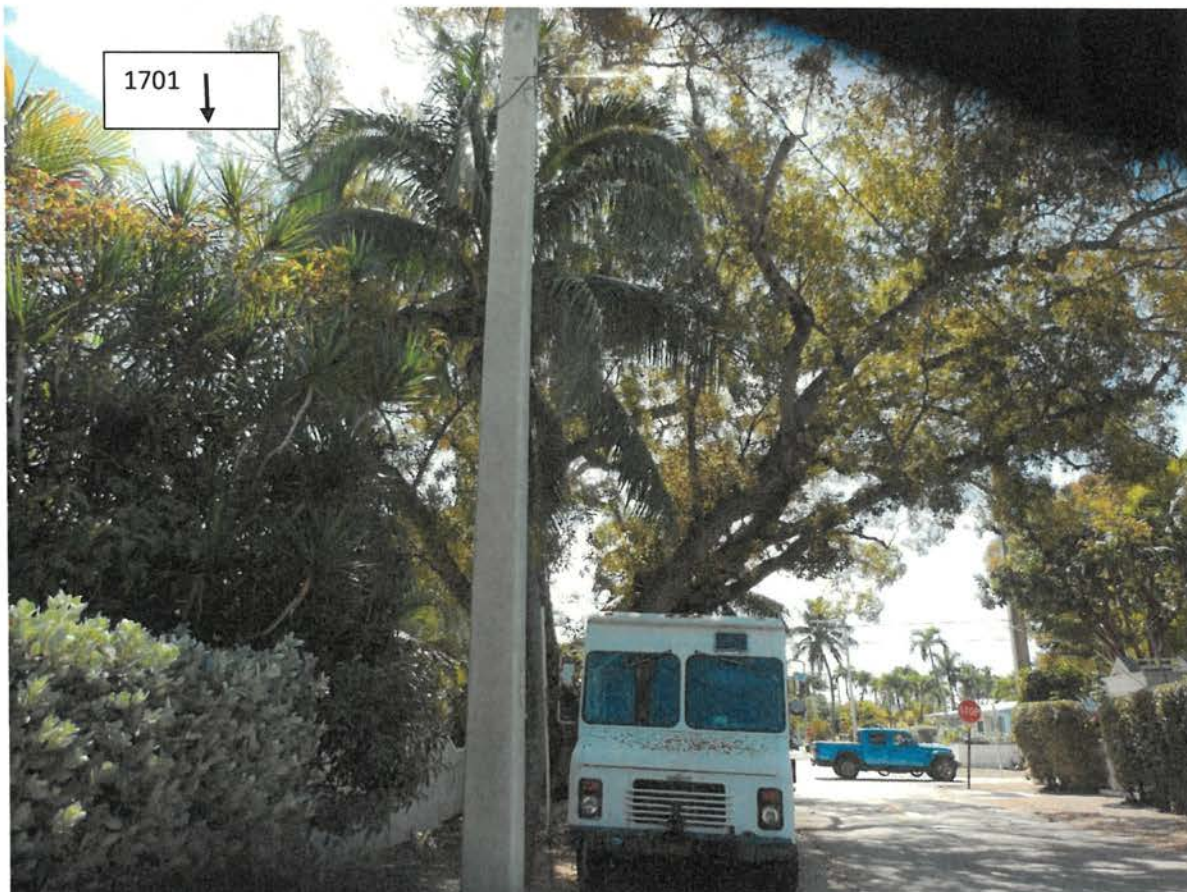
Thank you.

Eric Denhart



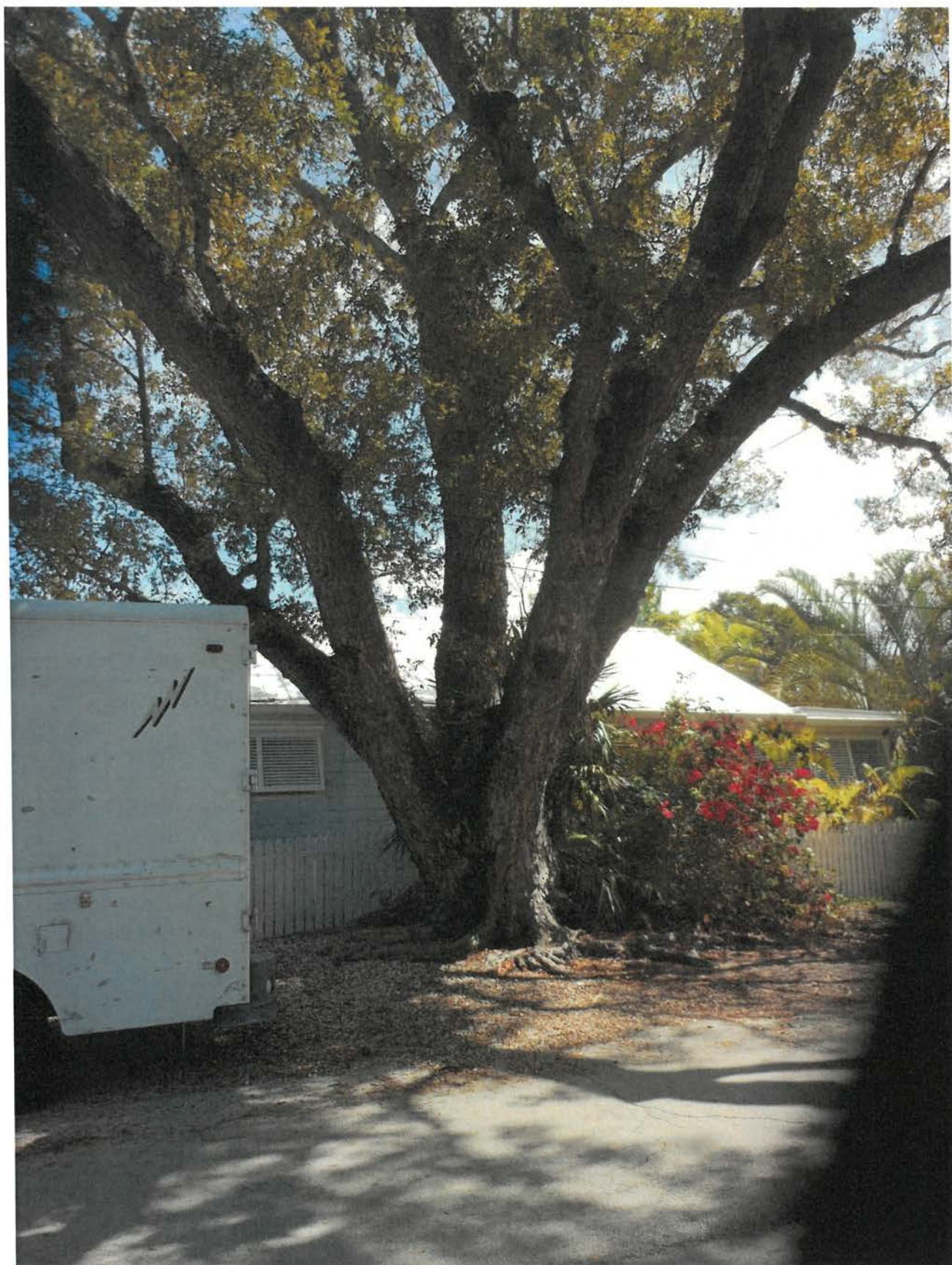
1701 Von Phister
Street

Standing on Ashby
Street looking
northwest at tree.



1701
↓

Standing on
Ashby Street
looking
southeast at
tree.



Standing on Ashby Street looking straight at tree. 1701 Von Phister house is in the background.



Photos showing the root system on the 1701 side of the house that the property owner cut.

NPR

T2020-0283

1701
Van
Phier
(Ashby)
side

all less than
4" dbh
roots to
be
cut
10+ ft
away
from
tree

09/22/2020

1701
von phister

city
row
→
(Ashby)
st

09/22/2020