



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

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February 14, 2023

City of Key West  
PO Box 1409  
Key West, FL 33041

RE: 1701 Von Phister Street ROW/File # T2022-0462  
Represented by: Eric Denhart

To whom it may concern,

This letter is to notify you that the City of Key West Tree Commission based on **Sec. 110—328 (1) & (2), Denied** the above request to remove (1) Mahogany tree at the public hearing held on February 13, 2023. The Tree Commission's finding was based on the following facts as grounds supporting disapproval of the tree removal permit application:

1. **The species, size, champion tree status, historical importance and/or condition of the tree make it a unique or rare specimen.**
2. **The size or location of the tree makes it substantial in and easily accessible to public view.**

If you wish to appeal this decision, as pursuant Sec. 90-429 of the Code of Ordinance of the City of Key West, you may do so in writing. Appeals should be hand delivered to 1300 White Street or sent to:

Ms. Cheryl Smith  
City Clerk, City of Key West  
PO Box 1409  
Key West, Florida 33041

Should you have any questions, please do not hesitate to contact the office at 305-809-3725 or at the number listed below.

Sincerely,

A handwritten signature in blue ink, appearing to read "Misha McRAE", is written over a horizontal line.

Misha McRAE  
Chairman  
City of Key West Tree Commission

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

Karen DeMaria  
Urban Forestry Manager  
Office: 305-809-3725  
[kdemaria@cityofkeywest-fl.gov](mailto:kdemaria@cityofkeywest-fl.gov)

# Updated Staff Report

# UPDATED STAFF REPORT

DATE: February 7, 2023

RE: 1701 Von Phister ROW (permit application # T2022-0462)

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

This updated report is being put together to provide documentation related to comments that came up at the January 2023 Tree Commission meeting and received emails regarding the tree and the structure.

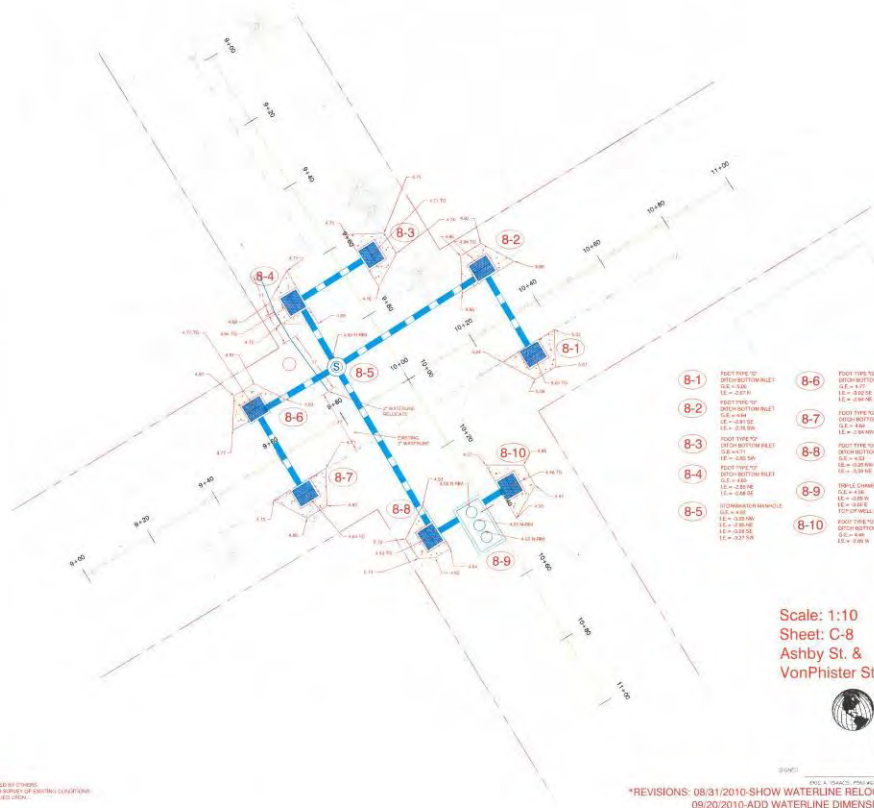
1. Job of Urban Forestry Manager: The Urban Forestry Manager's role is to protect and monitor the trees on private and publicly owned properties and enforces ordinances and regulations governing the trees and plants. They also serve as professional staff to the City Tree Commission processing permit applications as per the city ordinances and provides appropriate documentation to the Commissioners regarding the applications.
2. Storm drains: It was mentioned at the January 2023 Tree Commission meeting that numerous storm drains exist near this mahogany tree. Google Aerial maps show the location of existing drainage wells in the area. The wells collect water which is sent down a well (copy of as built drawing is below). Information received from the City Utilities department states that the wells help to create a dryer area by helping to remove standing water.



Aerial photo showing locations of street drains.



REVISIONS  
ALL LOCATIONS AND DATA SHOWN HEREON WERE SUPPLIED BY OTHERS.  
THEY MAY HAVE BEEN REPRODUCED AS SUCH, WITH AWARENESS OF CERTAIN CONDITIONS.  
ALL DATA SUBJECT TO THE FOLLOWING STATEMENTS AND NOTES:



Copy of property appraiser map showing  
dimensions of properties.



3. Time-line regarding conversations with Mr. Denhart regarding tree: In June 2019, Mr. Denhart requested that the City trim the Mahogany tree. In August 2019, the City solicited estimates to trim the tree (reduction pruning over house and road and an evaluation of the canopy). Kenneth King-Golden Bough Tree Service, was awarded the contract by the Tree Commission to trim the tree and the work was done in September 2019.



Standing on Ashby Street looking toward Von Phister Street, photo of tree prior to trimming.

In September 2020, Mr. Denhart trimmed the roots along the structure/house.

In April 2022, after several requests from Mr. Denhart and after the hiring of a City foreman with tree trimming experience, the City trimmed the street side of the tree canopy. Mr. Denhart also requested trimming work over the house. In June 2022, after requesting estimates from professional tree companies, a request was made to Community Services to contract with Sean Creedon-Treeman, to trim the tree over the house. Once a purchase order was created and approved, the tree was trimmed in August 2022.





Standing on  
Ashby Street  
looking toward  
Von Phister,  
photo of tree  
prior to  
trimming.

March 2022



Standing at  
corner of  
Ashby and Von  
Phister looking  
toward  
Washington  
Street, photo of  
tree prior to  
trimming.

March 2022





Standing at corner of Ashby and Von Phister looking toward Washington Street, photo of tree after street side trimming by City.



Standing at corner of Ashby and Von Phister looking toward Washington Street, photo of tree after trimming on house side of tree.

The tree canopy is currently in a lopsided shape due to the trimming that has been done in the past year. Standard trimming practices recommend not trimming more than 30% of a canopy in one calendar year. The continued plan is to trim the tree in 2023 to balance and reduce the canopy.

4. Tree Roots: The main issue with this mahogany tree appears to be the root system and its impacts to the property (house, porch, deck, and pool). In arboriculture and urban forestry documents there are numerous articles regarding tree protection zones and critical root zones. Most people think the critical root zones are the dripline of a tree however, the dripline can be a very irregular area. Science has been increasingly looking at measuring a critical root zone based on the diameter of a tree as being a more accurate representation but can still vary depending on overall size of the tree, soil quality, water table, species, and other related factors. No information could be found regarding critical root zones in tropical tree species or in a tropical zone.

A critical root zone is that area extending out from the tree trunk where roots required for future tree health and survival are located. The values most commonly used is either 1, 1.5 or 2 ft for every 1 inch of trunk diameter. FDOT plans use a 1.5 to 2 ft standard. Using these values a 10 inch diameter tree would have a critical root zone of 10-20 ft radius around the tree.

Critical Root Zone or a tree protection zone is not defined in the City code. Copies of sections of the city code that do mention tree roots is attached below (section #6). It is not reasonable to apply the above stated procedure in Key West due to the proximity of structures, road, and trees. It has been the general policy of the urban forestry manager's office that a critical root zone review regarding permitting and development in an area is 10 ft out from the base of a tree. There are numerous trees, especially large, old mahogany trees in Key West along Simonton and Southard Streets, whose roots have been compromised as per the critical root zone scientific procedures, but who are stable and healthy. The City does allow for select root pruning.

Root management to include pruning and barrier placements to direct root growth are accepted standard practices as per the American National Standards for Tree Care Operations-Tree, Shrub, and Other Woody Plant Management Standard Practices (Root Management), ANSI A300 (Part 8).

5. Tree Health: Overall, the Mahogany tree is in good condition. Canopy health and overall structure appears to be good. The tree has multiple trunks which all appear to have good "U" crotch areas. Included bark or codominant trunks were not noted as being observed on the tree. The tree has an extensive root ridge area.
  - A. Cabling: Mr. Denhart had asked that the City cable the tree trunks. Reviewing standards for cabling or bracing trees, primary purposes of installing a cabling or bracing system is to add strength and support to weak or compromised trees, to help stabilize a growing tree, to save a healthy tree with a storm-damaged split trunk thus preventing it from completely splitting apart, and to provide support systems for heavy branches growing awkwardly. Tree limbs with splits in the wood and bark, included bark in main trunks and branches, v-crotch stems, and overextended branches with excess weight on the limbs, are also possible indications of the need for cabling or bracing. Cables and braces are also used to help distribute weight and provide the trunk with the support it needs to thrive.



Review of the tree, discussions with arborists, and research on cabling techniques indicate that this mahogany tree does not exhibit an immediate need for cabling. The canopy trunk and branch system is not overly weighted at the limbs and the canopy is able to “breathe”. Future trimming to reduce and balance the canopy can alleviate any potential need for future bracing on this tree.

- B. Tree risk assessment: Mr. Denhart submitted additional information that included copies of the Tree Risk Assessment form with highlighted areas.

A tree risk assessment is done to determine the potential failure of a tree. The International Society of Arboriculture (ISA) administers this program and it is intended for use by Tree Risk Assessment Qualified (TRAQ) Arborists. As of December 2022, there was only 1 certified arborist that routinely works in Key West that is TRAQ certified, Sean Creedon-Treeman.

Tree Risk Assessment looks at the potential failure of a tree in a 1-5 year time frame. The assessment reviews the health of the tree canopy, structural flaws and defects in the branching, trunks, and root areas, if the tree was to fail, what are the strike zones, adjacent site factors, and whether there are alternatives available that would alleviate the risk.

The tree is located approximately 7 ft away from a structure in a right of way area with public parking and immediately next to a paved, public roadway area. It is a large, multitrunked, old tree that appears to be in good health with no known structural defects or failures in the canopy or trunk.

Soil borings done in 2010 when the drain wells were installed indicate the soil is a mixture of sand, shell and white rock from 1-60 ft. At approximately 1.2 ft below grade is the water level (HH). Speaking to a contractor working on a nearby property, there is approximately 12-18 inches of soil in this area.

The full extent (length and depth) of the root system can not be determined. It is assumed that the root system extends under the roadway and under the structure. Roots close to the surface along side of the structure have been cut. The tree does have an extensive root collar area at the surface.

The primary issue with the tree appears to be the impacts of the tree roots to the property. The question is whether root pruning can be done without creating a failure risk of the tree. Select root pruning has already occurred next to the main structure so a root guard in this area might be a reasonable alternative. Impacts to the front porch area could be resolved by selective root pruning with a root guard. It is unknown the actual amount of impact and spread of the roots in the deck/pool area and whether selective root pruning can be done.

6. Land Development Regulations: The land development regulations address the need for permits, approval and denial of permits, proper pruning and tree abuse. Below are sections of the code that pertain to this tree discussion;

*Sec. 110-251. Purpose and intent.*

*The city commission finds that trees on privately and publicly owned property within the city are economic and aesthetic assets to the citizens of the city, because of their important and meaningful contribution to a healthy, beautiful, and safer community, attributable to their carbon dioxide absorption, oxygen production, dust filtration, wind and noise reduction, soil erosion prevention and surface drainage improvement. Therefore, the health and economic welfare of the citizens can be served through protection of the health and growth of the trees and through encouragement of additional tree plantings. The city commission further finds that this public purpose can best be achieved through a city agency having authority and responsibility to accomplish these goals.*

*Sec. 110-327. Approval criteria.*

*The tree commission shall consider its finding of one or more of the following facts as grounds supporting approval of a tree removal permit application:*

- (1) The tree is a hazard to traffic, public utilities, buildings or structures;*
- (2) The tree is injured, diseased or insect infested such that it is a hazard to people, structures or other trees;*
- (3) The tree prevents access to a lot or parcel;*
- (4) The tree will be properly transplanted to another location in the city by the property owner with the consent of the owner of the new location.*
- (5) The tree will be replaced with an equivalent tree planted in a location suitable for healthy growth on the same lot or parcel.*
- (6) The tree will be replaced with an equivalent tree that is:*
  - (a) Donated to a non-profit organization approved by the tree commission; and*
  - (b) Guaranteed by the applicant for a minimum of one year after planting; or*
- (7) Funds equivalent to the cost of a Florida #1 canopy tree or palm, will be donated by the applicant to the city for use as provided by section 110-287.*

*Sec. 110-328. Findings of disapproval.*

*The tree commission shall consider its finding of one or more of the following facts as grounds supporting disapproval of a tree removal permit application:*

- (1) The species, size, champion tree status, historical importance and/or condition of the tree make it a unique or rare specimen; or*
- (2) The size or location of the tree makes it substantial in and easily accessible to public view.*

Regarding tree roots, most sections of the land development regulations (City ordinances) relate to tree protection requirements and cutting of girdled roots. The following are City Ordinance sections that pertain to tree root issues;

*Sec. 110-256. - Tree abuse.*

- (b) Prohibited acts. A tree shall be considered abused if a person*



*takes an action so that one of the following occurs:*

- (1) Significant damage has been inflicted upon any part of a tree, including the root system, by machinery, storage of materials, soil compaction, excavation, vehicle accidents, chemical application or change to the natural grade.*
- (2) Damage inflicted to or cutting upon a tree which permits infection or pest infestation.*
- (3) Cutting upon any tree which permanently reduces the function of the tree or causes it to go into irreversible decline.*

*(c) Additional prohibitions.*

*(1) No private property owner or agent shall damage, cut, or carve any tree or tree root located on the owner's property; or allow any liquid, solid or biological substance that is harmful to trees to be placed within the dripline.*

*(2) No person shall cut or otherwise damage a root or roots of a tree located on public property without first obtaining a permit from the tree commission.*

*(3) If a root or roots of a tree on private property migrates into another property, the owner of the tree must consult with the urban forestry manager before commencing any work that will result in severing the root.*

*(4) Trenching of any kind shall not be done within the dripline of any tree. Only mechanical- or auger-type equipment shall be used to place conduit under a tree root system.*

*(5) Attachments to trees; excessive cut or fill.*

*(i) Attachments to trees prohibited. It shall be unlawful to attach anything to a tree trunk or stem having a diameter of six inches or more, other than protective wires, braces or other similar noninjurious materials.*

*(ii) Excessive cut and/or fill. It shall be unlawful to remove any material or ground within the dripline of a tree which is necessary for the growth of the subject tree.*

# ADDITIONAL INFORMATION



## Karen DeMaria

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**From:** Gary Volenec  
**Sent:** Monday, February 6, 2023 8:00 AM  
**To:** Ronald Ramsingh; Karen DeMaria  
**Cc:** Todd C. Stoughton; Patti McLauchlin; Raj Ramsingh  
**Subject:** RE: City Mahogany tree removal 1701 Von Phister

Ron and Karen,

I was contacted by telephone last week by the owner regarding the Mahogany tree and my previous email statements to you on the matter. During our conversation he reaffirmed his strong concerns of the tree impacts to his foundation/property. He informed me that he was a 38-year resident there. He expressed his love of trees, and that requesting removal is a difficult thing for him. I received an email from him Sunday whereby he requested I clarify my position on the matter.

Following my conversation with the owner and his email, I decided to conduct some research into general Mahogany tree roots. In my readings I found the following in response to a question in Lee County regarding Mahogany tree impacts pertinent to our situation.

*“Q: We have some large old mahogany trees tearing up the asphalt of the parking lots. We are concerned that they will continue to do more damage. What options do we have?”*

*“A: There are several options for remediation of hardscape damaged by tree roots. For large trees, the least desirable is cutting the roots and installation of root barriers. Many municipalities have tried this or use it as a short-term strategy. If root pruning is done too close to older trees, they are more likely than younger trees to become stressed and eventually die. Old trees that are leaning should not be root pruned. Other options include bridging, redesign around the tree or contacting your local government for a vegetative removal permit.” (Stephen Brown is a horticulture agent with the Lee County Extension Service.)*

As I consider my main responsibility is to the tree impacts to the right-of-way and City infrastructure, I may not have been as sympathetic to the homeowner's plight as I should have been. I was repeating what sounded to me in my discussion with Karen like a sound solution – root pruning and a barrier wall. I am not an arborist and have little experience with root pruning of so large a tree. But, as far as roots of a large tree on our cap rock and the viability of them being pruned as close to the tree as would be necessary sounds like it would cause long term damage to the tree. Additionally, the tree has a slight lean toward the street and cutting the roots would appear to me as a layman to impact stability of the tree. Based on this information and noting I am not an Arborist, I believe that this action (root pruning and barrier wall) would not be the solution I previously thought it would be.

Please let me know if you have any questions.

Gary

*Gary J. Volenec, P.E.*  
City Engineer / Interim Director  
Engineering Department  
City of Key West  
(W) 305.809.3828

## Karen DeMaria

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**From:** Gary Volenec  
**Sent:** Monday, January 16, 2023 8:55 AM  
**To:** Ronald Ramsingh; Raj Ramsingh  
**Cc:** Karen DeMaria; Todd C. Stoughton; Patti McLauchlin  
**Subject:** RE: City Mahogany tree removal 1701 Von Phister  
**Attachments:** PXL\_20230114\_193548467.jpg; PXL\_20230114\_193541311.jpg; PXL\_20230114\_193445638.jpg; PXL\_20230114\_193526052.jpg

Yes, I did, and I have to admit that there is quite a root collar at the base of the tree. It rises up substantially. That being said, the root pruning between the fence and the structure plus installation of a subsurface barrier wall should protect the foundation. But Karen would have the final say as to what would be best for the health of the tree.

Gary

*Gary J. Volenec, P.E.*  
City Engineer / Interim Director  
Engineering Department  
City of Key West  
**(W) 305.809.3828**



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**From:** Ronald Ramsingh <[rramsingh@cityofkeywest-fl.gov](mailto:rramsingh@cityofkeywest-fl.gov)>  
**Sent:** Friday, January 13, 2023 2:40 PM  
**To:** Gary Volenec <[gary.volenec@cityofkeywest-fl.gov](mailto:gary.volenec@cityofkeywest-fl.gov)>; Raj Ramsingh <[raj.ramsingh@cityofkeywest-fl.gov](mailto:raj.ramsingh@cityofkeywest-fl.gov)>  
**Cc:** Karen DeMaria <[kdemaria@cityofkeywest-fl.gov](mailto:kdemaria@cityofkeywest-fl.gov)>; Todd C. Stoughton <[tstoughton@cityofkeywest-fl.gov](mailto:tstoughton@cityofkeywest-fl.gov)>; Patti McLauchlin <[pmclauchlin@cityofkeywest-fl.gov](mailto:pmclauchlin@cityofkeywest-fl.gov)>  
**Subject:** RE: City Mahogany tree removal 1701 Von Phister

Did you already perform a site visit?

Ron

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**From:** Gary Volenec <[gary.volenec@cityofkeywest-fl.gov](mailto:gary.volenec@cityofkeywest-fl.gov)>  
**Sent:** Friday, January 13, 2023 1:46 PM  
**To:** Ronald Ramsingh <[rramsingh@cityofkeywest-fl.gov](mailto:rramsingh@cityofkeywest-fl.gov)>; Raj Ramsingh <[raj.ramsingh@cityofkeywest-fl.gov](mailto:raj.ramsingh@cityofkeywest-fl.gov)>  
**Cc:** Karen DeMaria <[kdemaria@cityofkeywest-fl.gov](mailto:kdemaria@cityofkeywest-fl.gov)>; Todd C. Stoughton <[tstoughton@cityofkeywest-fl.gov](mailto:tstoughton@cityofkeywest-fl.gov)>; Patti McLauchlin <[pmclauchlin@cityofkeywest-fl.gov](mailto:pmclauchlin@cityofkeywest-fl.gov)>  
**Subject:** RE: City Mahogany tree removal 1701 Von Phister

Ron,

After discussing with Karen and evaluating the situation, I would recommend that the tree be root pruned adjacent to his structure and a root guard be installed. This would allow most roots opposite the ROW to be saved while preventing growth towards the foundation of his home. I defer to Raj as to whether any present or imminent danger of damage to the house foundation exists.

Gary

*Gary J. Volenec, P.E.*

City Engineer / Interim Director

Engineering Department

City of Key West

(W) 305.809.3828



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**From:** Ronald Ramsingh <[r Ramsingh@cityofkeywest-fl.gov](mailto:r Ramsingh@cityofkeywest-fl.gov)>

**Sent:** Tuesday, January 10, 2023 6:22 PM

**To:** Gary Volenec <[gary.volenec@cityofkeywest-fl.gov](mailto:gary.volenec@cityofkeywest-fl.gov)>; Raj Ramsingh <[raj.ramsingh@cityofkeywest-fl.gov](mailto:raj.ramsingh@cityofkeywest-fl.gov)>

**Cc:** Karen DeMaria <[kdemaria@cityofkeywest-fl.gov](mailto:kdemaria@cityofkeywest-fl.gov)>; Todd C. Stoughton <[tstoughton@cityofkeywest-fl.gov](mailto:tstoughton@cityofkeywest-fl.gov)>; Patti McLauchlin <[pmclauchlin@cityofkeywest-fl.gov](mailto:pmclauchlin@cityofkeywest-fl.gov)>

**Subject:** City Mahogany tree removal 1701 VonPhister

Hello Gary/Raj:

There was a unique tree removal application filed by the city for this city mahogany on the public ROW. It is a very large tree that is very close to the side of a home owned by Eric Denhart. The tree evaluation indicates that the tree is otherwise very healthy. The city has arranged for pruning and canopy trimming over the last couple of years. There is an allegation that the tree roots are currently damaging the home's foundation. I have no independent professional opinion to that effect and the Tree Commission has postponed the item at my suggestion to have someone from the Building and Engineering departments perform a site visit to determine objectively if there is present or imminent danger of damage to the house.

With Management's direction, I recommend that to make a determination with a site visit in your respective disciplines.

Thanks,

Ronald J. Ramsingh  
Interim City Attorney  
City Attorney's Office  
City of Key West  
1300 White Street  
Key West, FL 33040  
(305) 809-3770





Public  
Notice















## Karen DeMaria

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**From:** Raj Ramsingh  
**Sent:** Monday, January 30, 2023 10:58 AM  
**To:** Todd C. Stoughton; Ronald Ramsingh; Karen DeMaria; Gary Volenec  
**Subject:** 1701 Tree issue

Good morning Todd,

I looked at the mahogany tree located at 1701 Von Phister on the city ROW. It is my opinion that the massive root system from this tree is definitely impacting the foundation of the home. The owner has gone above and beyond in his efforts to save a tree that is not on his property. In the past 30 years he has trimmed roots on his property, fixed the cracked flooring and foundations several times in his home, and has also had pool leaks cause by the spreading roots. According to his statement he has asked the city several times in the past to trim the tree which was never done. Now the tree is just to big and massive to trim without causing some stability issues. Unfortunately, should we have massive storm related event the tree can become a liability for the city not only house at 1701 Von Phister, but for neighboring homes as well.

Sincerely,

Raj Ramsingh  
Building Director  
Chief Building Official  
City of Key West  
1300 White Street  
Key West, FL 33040

Sent via the Samsung Galaxy Note20 Ultra 5G, an AT&T 5G smartphone



## Karen DeMaria

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**From:** Mimi Denhart <mimidenhart@aol.com>  
**Sent:** Thursday, February 2, 2023 11:08 AM  
**To:** Karen DeMaria  
**Subject:** [EXTERNAL] From: Eric Denhart denhart  
**Attachments:** From Eric Denhart denharte@bellsouth.net.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.

Hi Karen,  
I'll split the paperwork into a few emails since you had trouble with opening my file previously.

Thanks,  
Mimi

Sent from my iPhone

From: Eric Denhart denharte@bellsouth.net  
Subject: Re: City Mahogany tree  
Date: Jun 20, 2019, 11:47:27 AM  
To: Karen DeMaria kdemaria@cityofkeywest-fl.gov

As per our recent conversation on 6/10/2019 I am requesting the city of Key West to take action on major trimming of the mahogany tree on Von Phister and Ashby streets. This tree which lies on city property has become so large and overgrown that many limbs pose a huge liability to my home and family. I have spoken with Jim Scholl and he assures me that you will be able to address this in a timely manner. As you know I am a devoted tree advocate and have worked with the city forestry officials and the tree commission for the past 28 years regarding this tree. This is truly a "great" tree but it must be properly maintained.

Thanks,  
Eric Denhart

Sent from my iPad

On Jun 10, 2019, at 9:28 AM, Karen DeMaria <kdemaria@cityofkeywest-fl.gov> wrote:

Eric:

It was a pleasure talking with you today. Can you please send me a written comment regarding your concerns with the mahogany tree growing over your house.

Sincerely,

Karen

Karen DeMaria  
Urban Forestry Manager  
Certified Arborist  
City of Key West Planning Department  
1300 White Street, Key West, FL 33040  
305-809-3768

<image001.jpg>

From: Raj Ramsingh raj.ramsingh@cityofkeywest-fl.gov  
Subject: 1701 Tree issue  
Date: Jan 30, 2023 at 10:57:40 AM  
To: Todd C. Stoughton tstoughton@cityofkeywest-fl.gov, Ronald  
Ramsingh rramsingh@cityofkeywest-fl.gov, Karen DeMaria  
kdemaria@cityofkeywest-fl.gov, Gary Volenec  
gary.volenec@cityofkeywest-fl.gov

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Good morning Todd,

I looked at the mahogany tree located at 1701 Von Phister on the city ROW. It is my opinion that the massive root system from this tree is definitely impacting the foundation of the home. The owner has gone above and beyond in his efforts to save a tree that is not on his property. In the past 30 years he has trimmed roots on his property, fixed the cracked flooring and foundations several times in his home, and has also had pool leaks cause by the spreading roots. According to his statement he has asked the city several times in the past to trim the tree which was never done. Now the tree is just too big and massive to trim without causing some stability issues. Unfortunately, should we have a massive storm related event the tree can become a liability for the city not only house at 1701 Von Phister, but for neighboring homes as well.

Sincerely,

Raj Ramsingh  
Building Director  
Chief Building Official  
City of Key West  
1300 White Street  
Key West, FL 33040

Sent via the Samsung Galaxy Note20 Ultra 5G, an AT&T 5G smartphone



# Using the ISA Basic Tree Risk Assessment Form

This form is provided with the *ISA Tree Risk Assessment Manual* and is intended to act as a guide for collecting and recording tree risk assessment information. This form is for trees receiving a basic (Level 2) risk assessment. It is *not intended for use* with limited visual (Level 1) or advanced (Level 3) assessments. Space is provided to write comments and notes for various conditions that are not included elsewhere on the form or for points that need additional explanation. *It is not necessary to mark every box or to fill in every line on this form.* Only information relevant to the tree risk assessment should be collected. You may adapt this form for your specific needs.

## PAGE I—DATA COLLECTION

### Section I—Assignment and Tree ID

305-797-5334

Client	DENHART	Date		Time	
Address/Tree location	1701 VON PHILSTER	Tree no.		Sheet	of
Tree species		dbh		Height	Crown spread dia.
Assessor(s)		Time frame		Tools used	

This section outlines the basic information for you assessment. This will be valuable information when drafting your written report. Be sure to refer back to the time frame stated in this section when determining likelihood of failure later on this form.

**Client**—name of the person who hired you to perform the assessment or agency for which you are working.

**Date**—date of the tree inspection.

**Time**—time of the tree inspection.

**Address/Tree location**—the physical address, GPS coordinates, or other location description of the tree and the location of the tree on the property, such as “backyard” or “between street and sidewalk on the north side of walk.” A typical entry may be “411 Pine Street, Oakville. Large tree on left near driveway.”

**Tree no.**—if the tree has an inventory tag with a number, it should be entered here. If a group of trees without tags are assessed, they may be assigned a sequence number.

**Sheet**—if multiple sheets are used for a tree assessment—or if a group of trees are assessed—the sheet number and total number of sheets used on the job may be entered.

**Tree species**—include the common and/or scientific name of the tree; cultivar, if known.

**dbh**—diameter at breast height [U.S., 4.5 feet (1.37 m); or customary diameter measure for your country; IUFRO standard is 1.3 m above ground] measured in inches or cm.

**Height**—tree height either visually estimated or measured. If measured, the tool used for this measurement should be noted in Tools used.

**Crown spread dia.**—the average diameter of the drip line of the tree; measured or estimated.

**Assessor(s)**—name of the person or people collecting the tree risk information; may also include qualifications such as “TRAQ.”

**Time frame**—period in which you are estimating the likelihood of failure; typically between one and five years; Time frame should be considered when rating the likelihood of failure with all categories except imminent, which has a different time frame (very soon).

**Tools used**—list of tools used in the assessment such as “mallet” or “binoculars.” If no tools were used, write “none” or leave blank.

## Section 2—Target Assessment

Target Assessment							
Target number	Target description	Target zone			Occupancy rate 1 – rare 2 – occasional 3 – frequent 4 – constant	Practical to move target?	Restriction practical?
		Target within drip line	Target within 1 x Ht.	Target within 1.5 x Ht.			
1							
2							
3							
4							

The Target Assessment chart is used to list target(s)—people, property, or activities that could be injured, damaged, or disrupted by a tree failure—within the striking distance (target zone) of the tree part concerned. Four lines are provided; additional targets can be listed on a separate form. Target information will correspond with the Risk Categorization chart on the back of the form.

**Target number**—many trees have multiple targets within the target zone; the target number is provided to list individual targets and to facilitate inclusion of this number in the Risk Categorization chart so that the target description does not need to be rewritten.

**Target description**—brief description such as “people near tree” “house,” “play area,” or “high-traffic street.” Location of the target can be noted by checking one of the distance boxes to the right of the description.

**Target zone**—identify where the targets are in relation to the tree or tree part:

**Within drip line**—target is underneath the canopy of the tree.

**Within 1 x Ht**—target is within striking distance if the trunk or root system of the tree fails (1 times the height of the tree).

**Within 1.5 x Ht**—target is within striking distance if the trunk or root system of the tree fails and there are dead or brittle branches that could shatter and fly from the failed tree.

**Occupancy rate**—an estimated amount of time the target is within the target zone. Use corresponding numbered codes (1–4):

1. **Rare**—targets are very uncommon in the target zone.
2. **Occasional**—the target is present infrequently or irregularly.
3. **Frequent**—the target is present for a large portion of the day or week.
4. **Constant**—the target is present at all times or nearly all times.

**Practical to move target?**—check box if it is practical to move the target out of the target zone if mitigation is required.

**Restriction practical?**—check box if it is practical to restrict access to the target zone.



## Section 3—Site Factors

Site Factors	
History of failures _____	Topography Flat <input type="checkbox"/> Slope <input type="checkbox"/> _____ % Aspect _____
Site changes None <input type="checkbox"/> Grade change <input type="checkbox"/> Site clearing <input type="checkbox"/> Changed soil hydrology <input type="checkbox"/> Root cuts <input type="checkbox"/> Describe _____	
Soil conditions Limited volume <input type="checkbox"/> Saturated <input type="checkbox"/> Shallow <input type="checkbox"/> Compacted <input type="checkbox"/> Pavement over roots <input type="checkbox"/> _____ % Describe _____	
Prevailing wind direction _____ Common weather Strong winds <input type="checkbox"/> Ice <input type="checkbox"/> Snow <input type="checkbox"/> Heavy rain <input type="checkbox"/> Describe _____	

Site factors may influence the likelihood of tree failure. This section provides a list of common site factors that should be considered. There may be other site factors that are critical on a given site, or which you should note even if they are not on this form. Any of these factors can be further described in the space provided or on additional paper. Other site factors affecting wind load should be noted. These may include the site elevation, surface roughness, and hilltop locations.

**History of failures**—note and describe evidence of previous whole-tree failures on the site, and estimate the time frame for how recently they occurred. Previous branch failures should be noted in the Crown and Branches box (located in the Tree Defects and Conditions Affecting the Likelihood of Failure section of the form).

**Topography**—check boxes for flat or sloping topography; an estimate of the slope percentage may be included.

**Aspect**—the compass direction that the slope is facing.

**Site changes**—factors affecting the root system of the tree or the change in exposure of the tree to wind; check all that apply:

**None**—no evidence of recent site changes.

**Grade change**—soil was added or removed from the site.

**Site clearing**—adjacent trees, which may have blocked the wind, have been removed or significantly reduced.

**Changed soil hydrology**—changes have been made that affect water flow in or out of the site.

**Root cuts**—the root system has been cut or otherwise significantly damaged. Additional information on root cuts will be included in the Roots and Root Collar box.

**Soil conditions**—factors that can affect the ability of the root system to mechanically support the tree, as well as the general health and vitality of the tree; check all that apply:

**Limited volume**—soil volume limited by rocks, water table, building foundations, size of a container, or other factors.

**Saturated**—soil saturated due to poor drainage, high water table, excess irrigation, or location in a low area. May be saturated now or have a history of inundation.

**Shallow**—rooting depth limited by one or more factors including high water table, rock ledges, compacted layers, or underground structures such as parking decks.

**Compacted**—soil is severely compacted, limiting the depth, spread, and distribution of the root system.

**Pavement over roots**—concrete, asphalt, pavers, or other materials restricting root growth or water movement into the root zone. If present, enter the percentage of the area within the drip line that is paved.

**Prevailing wind direction**—a typical, consistent, moderate-to-strong wind, usually from a single direction, which has affected tree crown and root system development.

**Common weather**—trees will adapt to a number of climatic conditions if they occur regularly; check all that apply.



## Section 4—Tree Health and Species Profile

Tree Health and Species Profile									
Vigor	Low <input type="checkbox"/>	Normal <input type="checkbox"/>	High <input type="checkbox"/>	Foliage	None (seasonal) <input type="checkbox"/>	None (dead) <input type="checkbox"/>	Normal ____%	Chlorotic ____%	Necrotic ____%
Pests				Abiotic _____					
Species failure profile				Branches <input type="checkbox"/>	Trunk <input type="checkbox"/>	Roots <input type="checkbox"/>	Describe _____		

This section provides the opportunity to note any species specific failure patterns that you suspect may influence likelihood of failure. Any species information you feel is important should be noted in this section. Any of these factors can be further described in the spaces provided or on additional paper.

**Vigor**—an assessment of overall tree health; classify as low, normal, or high:

**Low**—tree is weak, growing slowly, and/or under stress.

**Normal**—tree has average vigor for its species and the site conditions.

**High**—tree is growing well and appears to be free of significant health stress factors.

**Foliage**—size and color are indications of tree health; compare with a healthy specimen of the same species in the area. Lines and boxes in this section allow data collection of the percentage of each category, or simply a check mark for presence:

**None (seasonal)**—a deciduous tree that has dropped its leaves for the winter.

**None (dead)**—a tree that has dropped its leaves because it is dead.

**Normal**—foliage size and color are normal for the species in the area.

**Chlorotic**—yellowish-green to yellow.

**Necrotic**—dead foliage in part of or the entire crown.

**Pests**—insects and diseases that may significantly affect tree health or stability.

**Abiotic**—abiotic problems that may significantly affect tree health or stability.

**Species failure profile**—any known failure problems with the species in the branches, trunk, or roots.

## Section 5—Load Factors

Load Factors			
Wind exposure	Protected <input type="checkbox"/> Partial <input type="checkbox"/> Full <input type="checkbox"/>	Wind funneling <input type="checkbox"/>	Relative crown size Small <input type="checkbox"/> Medium <input type="checkbox"/> Large <input type="checkbox"/>
Crown density	Sparse <input type="checkbox"/> Normal <input type="checkbox"/> Dense <input type="checkbox"/>	Interior branches	Few <input type="checkbox"/> Normal <input type="checkbox"/> Dense <input type="checkbox"/> Vines/Mistletoe/Moss <input type="checkbox"/>
Recent or planned change in load factors _____			

Generally, two types of load need to be considered when evaluating tree risk. Dynamic load is from wind as it impacts the tree, and static load is from gravity acting on the tree. These two loads can interact.

**Wind exposure**—factors that affect wind load on the tree; check all that apply:

**Protected**—trees or structures in the area significantly reduce wind velocity or the tree's exposure to wind.

**Partial**—other trees, or buildings near the tree, moderately reduce the impact of wind on the tree.

**Full**—tree is fully exposed to wind.

**Wind funneling**—wind may be “funneled” or “tunneled” (by buildings, canyons, large stands of trees) toward the tree so that wind velocity experienced by the tree is increased.

**Relative crown size**—comparison of the tree's crown size to the trunk diameter; classify as small, medium, or large.

**Crown density**—the relative wind transparency of the crown:

**Sparse**—crown allows a large degree of wind and light penetration; varies with species.

**Normal**—indicates moderate wind and light penetration.

**Dense**—crown does not allow much light or wind penetration.

**Interior branches**—increase wind resistance but dampen branch/tree movement:

**Few**—little wind resistance and damping.

**Normal**—moderate wind resistance and damping.

**Dense**—significant wind resistance and damping.

**Vines/Mistletoe/Moss**—check box if present at moderate to high levels that increase weight or wind resistance. Moss refers to Spanish or ball moss (epiphytes).

**Recent or planned change in load factors**—record any factors, recent or planned, that may significantly affect the load on any defects.

## Section 6—Tree Defects and Conditions Affecting the Likelihood of Failure

— Crown and Branches —			
Unbalanced crown <input type="checkbox"/>	LCR _____ %	Cracks <input type="checkbox"/>	Lightning damage <input type="checkbox"/>
Dead twigs/branches <input type="checkbox"/>	_____ % overall	Codominant <input type="checkbox"/>	Included bark <input type="checkbox"/>
Broken/Hangers Number _____	Max. dia. _____	Weak attachments <input type="checkbox"/>	Cavity/Nest hole _____ % circ.
Over-extended branches <input type="checkbox"/>	Max. dia. _____	Previous branch failures <input type="checkbox"/>	Similar branches present <input type="checkbox"/>
<b>Pruning history</b>		Dead/Missing bark <input type="checkbox"/>	Cankers/Galls/Burls <input type="checkbox"/>
Crown cleaned <input type="checkbox"/>	Thinned <input type="checkbox"/>	Raised <input type="checkbox"/>	Sapwood damage/decay <input type="checkbox"/>
Reduced <input type="checkbox"/>	Topped <input type="checkbox"/>	Lion-tailed <input type="checkbox"/>	Conks <input type="checkbox"/>
Flush cuts <input type="checkbox"/>	Other _____	Heartwood decay <input type="checkbox"/>	Response growth _____
Main concern(s) _____			
Load on defect N/A <input type="checkbox"/> Minor <input type="checkbox"/> Moderate <input type="checkbox"/> Significant <input type="checkbox"/>			
Likelihood of failure Improbable <input type="checkbox"/> Possible <input type="checkbox"/> Probable <input type="checkbox"/> Imminent <input type="checkbox"/>			

This section provides a systematic checklist for assessing the tree, dividing it into “Crown and Branches”, “Trunk”, and “Roots and Root Collar”. Check only factors that apply to the assessed tree. These factors may or may not contribute to your Main concern(s), Load on defect, or Likelihood of failure.

### Crown and Branches

**Unbalanced crown**—check box if foliage is not uniformly distributed.

**Live crown ratio (LCR)**—the ratio of the height of the live crown to the height of the entire tree [ $LCR = (\text{crown height} / \text{tree height}) \times 100$ ].

**Dead twigs/branches**—small diameter, dead branches; check box if present and indicate percentage and maximum size(s) in diameter.

**Broken/Hangers**—broken or cut branches remaining in the crown; record the number and size (maximum diameter).

**Over-extended branches**—check box if there are branches that extend beyond the tree’s canopy or that are excessively long with poor taper.

**Pruning history**—check appropriate boxes if pruning is known and relevant:

**Crown cleaned**—pruning of dead, dying, diseased, and broken branches from the tree crown.

**Thinned**—selective removal of live branches to reduce crown density. Other pruning types include, but are not limited to, structural, pollarding, espalier, and vista, and may be included in your notes.

**Raised**—removal of lower branches to provide clearance.

**Reduced**—pruning to decrease tree height or spread by cutting to lateral branches.

**Topped**—inappropriate pruning technique used to reduce tree size; characterized by internodal cuts.

**Lion-tailed**—inappropriate pruning practice removing an excessive number of inner and/or lower lateral branches.

**Flush cuts**—pruning cuts through (or removal of) the branch collar, causing unnecessary injury to the trunk or parent branch.

**Other**—note any other pruning history that may affect the likelihood of failure.

**Cracks**—separation in the wood in either a longitudinal (radial, in the plane of ray cells) or transverse (across the stem) direction; check box if present and describe briefly.

**Lightning damage**—often evidenced by a centrally located line of sapwood damage and bark removal on either side in a spiral pattern on the trunk or branch; check box if present.

**Codominant**—branches of nearly equal diameter arising from a common junction and lacking a normal branch union. Check box if present and describe.

**Included bark**—bark that becomes embedded in a union between branch and trunk, or between codominant stems, causing a weak structure. Check box if present.

**Weak attachments**—branches that are codominant or that have included bark or splits at or below the junctions. Check box if present and describe.



**Cavity/Nest hole**—openings from the outside into the heartwood area of the tree; record the percentage of the branch circumference that has missing wood.

**Previous branch failures**—check box if there is evidence of previous branch failures and describe briefly. Note “similar branches present,” if relevant.

**Dead/Missing bark**—check box if branches are dead or if areas of dead cambium are present where new wood will not be produced.

**Cankers/Galls/Burls**—check box if relevant and circle which one(s) are of concern:

**Canker**—localized diseased areas on the branch; often sunken or discolored.

**Gall**—abnormal swellings of tissue caused by pests; may or may not be a defect.

**Burl**—outgrowth on the trunk, branch, or roots; not usually considered a defect.

**Sapwood damage/decay**—check box if there is mechanical or fungal damage in the sapwood that may weaken the branch, or decay of dead or dying branches. If checked, you may circle “damage” or “decay” to indicate which one is present.

**Conks** (mushrooms, brackets)—fungal fruiting structures; common, definite indicators of decay. Check box if present and describe under Main concern(s).

**Heartwood decay**—check box if present and describe.

**Response growth**—reaction wood or additional wood grown to increase the structural strength of the branch; note location and extent.

**Main concern(s)**—conditions in the crown and branches that may affect likelihood of failure. Note the main concern(s); if there are no concerns, write “none.”

**Load on defect**—a consideration of how much loading is expected on the tree part of concern. Record as N/A (not applicable), minor, moderate, or significant, and/or note the cause of loading.

**Likelihood of failure**—the rating (*improbable, possible, probable, or imminent*) for the crown and branches of greatest concern. If there is a main concern, this information should be transferred to the Risk Categorization chart.

— Trunk —

Dead/Missing bark <input type="checkbox"/>	Abnormal bark texture/color <input type="checkbox"/>
Codominant stems <input type="checkbox"/>	Included bark <input type="checkbox"/> Cracks <input type="checkbox"/>
Sapwood damage/decay <input type="checkbox"/>	Cankers/Galls/Burls <input type="checkbox"/> Sap ooze <input type="checkbox"/>
Lightning damage <input type="checkbox"/>	Heartwood decay <input type="checkbox"/> Conks/Mushrooms <input type="checkbox"/>
Cavity/Nest hole _____ % circ.	Depth _____ Poor taper <input type="checkbox"/>
Lean _____ °	Corrected? _____
Response growth _____	
Main concern(s) _____	
<b>Load on defect</b> N/A <input type="checkbox"/> Minor <input type="checkbox"/> Moderate <input type="checkbox"/> Significant <input type="checkbox"/>	
<b>Likelihood of failure</b>	
Improbable <input type="checkbox"/>	Possible <input type="checkbox"/> Probable <input type="checkbox"/> Imminent <input type="checkbox"/>

## Trunk

**Dead/Missing bark**—check box if a stem or codominant stem is dead or if areas of dead cambium are present where new wood will not be produced.

**Abnormal bark texture/color**—may indicate a fungal or structural problem with the trunk; check box, if present, and add notes if it is a concern.

**Codominant stems**—stems of nearly equal diameter arising from a common junction and lacking a normal branch union. Note the size, location, and number, if relevant, under Main concern(s) in the Trunk box.

**Included bark**—bark that becomes embedded in a union between branch and trunk, or between codominant stems, causing a weak structure; check box if present.

**Cracks**—separation in the wood in either a longitudinal (radial, in the plane of ray cells) or transverse (across the stem) direction; check box if present and describe.

**Sapwood damage/decay**—check box if there is mechanical or fungal damage in the sapwood that may weaken the trunk. If checked, you may circle “damage” or “decay” to indicate which one is present.

**Cankers/Galls/Burls**—check box if relevant and circle which one(s); may or may not affect the structural strength of the tree:

**Canker**—localized diseased areas on the branch; often sunken or discolored.

**Gall**—abnormal swellings of tissue caused by pests; may or may not be a defect.

**Burl**—outgrowth on the trunk, branch, or roots; not usually considered a defect.

**Sap ooze**—oozing of liquid that may result from infections or infestations under the bark. May or may not affect structure or stability; check box if present.

**Lightning damage**—often evidenced by a centrally-located line of sapwood damage and bark removal on either side in a spiral pattern on the trunk or branch; check box if present.

**Heartwood decay**—Check box if present and identify/describe under Main concern(s).

**Conks/Mushrooms** (brackets)—fungal fruiting structures; common, definite indicators of decay when on the trunk; check box if present and identify/describe under Main concern(s).

**Cavity/Nest hole**—openings from the outside into the heartwood area of the tree; record the percentage of the trunk circumference that has missing wood, and the depth of the cavity.

**Poor taper**—change in diameter over the length of the trunk, important for even distribution of mechanical stress; check box if trunk has poor taper.

**Lean**—angle of the trunk measured from vertical; record the degree of lean.

**Corrected?**—the tree may have been able to “correct” the lean with new growth in the younger portions of the tree; note conditions related to lean in the space provided.

**Response growth**—reaction wood or additional wood grown to increase the structural strength of the trunk; note location and extent.

**Main concern(s)**—conditions in the trunk that may affect likelihood of failure. Note the main concern(s); if there are no concerns, write “none”.

**Load on defect**—a consideration of how much loading is expected on the tree part of concern. Record as N/A (not applicable), minor, moderate, or significant, and/or note the cause of loading.

**Likelihood of failure**—the rating (*improbable, possible, probable, or imminent*) for the trunk. If there is a main concern, this information should be transferred to the Risk Categorization chart.



**— Roots and Root Collar —**

Collar buried/Not visible ☐ Depth \_\_\_\_\_ Stem girdling ☐  
 Dead ☐ Decay ☐ Conks/Mushrooms ☐  
 Ooze ☐ Cavity ☐ \_\_\_\_\_ % circ.  
 Cracks ☐ Cut/Damaged roots ☐ Distance from trunk \_\_\_\_\_  
 Root plate lifting ☐ Soil weakness ☐

Response growth \_\_\_\_\_

Main concern(s) \_\_\_\_\_

**Load on defect** N/A ☐ Minor ☐ Moderate ☐ Significant ☐

**Likelihood of failure**

Improbable ☐ Possible ☐ Probable ☐ Imminent ☐

**Roots and Root Collar**

**Collar buried/Not visible**—check box if the root collar is not visible and, if possible, determine and note the depth below ground.

**Stem girdling**—restriction or destruction of the trunk or buttress roots; check box if it is a failure concern.

**Dead**—check box if one or more structural support roots are dead.

**Decay**—check box if present and identify/describe under Main concerns.

**Conks/Mushrooms** (brackets)—fungal fruiting structures; common, definite indicators of decay; fungal fruiting structures away from the trunk in the turf or mulch may be due to the presence of a mycorrhizal fungus and, if so, do not pose a threat to the tree. Check box if present and identify/describe under Main concern(s).

**Ooze**—seeping or exudation that can result from pest infestations or infections under the bark; check box if present and describe.

**Cavity**—definite indicators of heartwood decay; measure the size of the opening and record the percentage of the tree's circumference affected.

**Cracks**—separation in the wood in either a longitudinal (radial, in the plane of ray cells) or transverse (across the stem) direction; check box if present and describe.

**Cut/Damaged roots**—check box if present; measure and record the distance from the trunk to the cut.

**Root plate lifting**—soil cracking or lifting indicates the tree has been rocking, usually in high winds; check box if present, and note under Main concern(s).

**Soil weakness**—check box if there is a soil condition affecting the anchorage of the tree's root system; note under Main concern(s) if significant.

**Response growth**—reaction wood or additional wood grown to increase the structural strength of the roots or root collar; note location and extent.

**Main concern(s)**—conditions in the roots and root collar that may affect likelihood of failure. Note the main concern(s); if there are no concerns, write "none".

**Load on defect**—a consideration of how much loading is expected on the tree part of concern. Record as N/A (not applicable), minor, moderate, or significant, and/or note the cause of loading.

**Likelihood of failure**—the rating (*improbable, possible, probable, or imminent*) for the roots or root collar. If there is a main concern, this information should be transferred to the Risk Categorization chart.



The second page of the form focuses on categorizing the risk the tree poses and describing how the risk should be mitigated. It also provides space for additional notes or comments regarding any section from the first page. Use a separate sheet of paper if more space is needed.

Risk Categorization																						
Condition number	Tree part	Conditions of concern	Part size	Fall distance	Target number	Target protection	Likelihood						Consequences									
							Failure			Impact		Failure & Impact (from Matrix 1)										
							Improbable	Possible	Probable	Imminent	Very low	Low	Medium	High	Unlikely	Somewhat likely	Very likely	Negligible	Minor	Significant	Severe	Risk rating of part (from Matrix 2)
1																						
2																						
3																						
4																						

Matrix 1. Likelihood matrix.

Likelihood of Failure	Likelihood of Impacting Target			
	Very low	Low	Medium	High
Imminent	Unlikely	Somewhat likely	Likely	Very likely
Probable	Unlikely	Unlikely	Somewhat likely	Likely
Possible	Unlikely	Unlikely	Unlikely	Somewhat likely
Improbable	Unlikely	Unlikely	Unlikely	Unlikely

Matrix 2. Risk rating matrix.

Likelihood of Failure & Impact	Consequences of Failure			
	Negligible	Minor	Significant	Severe
Very likely	Low	Moderate	High	Extreme
Likely	Low	Moderate	High	High
Somewhat likely	Low	Low	Moderate	Moderate
Unlikely	Low	Low	Low	Low

**Tree part**—specify the branch, trunk, or root of concern. For example, Condition Number 1 may be the broken branch over the house, and Condition Number 2 may be a branch over the driveway. The entries in the Tree Part column would both be "branch." Other options for this column include "trunk" and "roots."

**Part size**—a characterization of the part of the tree that may fail toward the target. Usually this is the diameter of the branch that can fall or the dbh of the tree. It may be appropriate to indicate the size of the part that could impact the target. Include units of measurement.

**Target number**—this number should correspond to the target(s) listed on the first page of this form.

**Target protection**—note any significant factors that could protect the target because this may affect the likelihood of impact and/or the consequences of failure.

Tree risk has two components: (1) the likelihood of a tree failure striking a target, which is divided into the likelihood of failure and the likelihood of impact, and (2) the consequences of failure. Use your best judgment and the data available to assess the likelihood of failure (*improbable, possible, probable, imminent*) and the likelihood of impact (*very low, low, medium, high*). After these two decisions are made, use Matrix 1 for guidance on choosing the likelihood of failure and impact category (*unlikely, somewhat likely, likely, very likely*).

The likelihood of failure can be categorized using the following guidelines:

**Improbable**—the tree or branch is not likely to fail during normal weather conditions and may not fail in many severe weather conditions within the specified time frame.

**Possible**—failure could occur, but it is unlikely during normal weather conditions within the specified time frame.

**Probable**—failure may be expected under normal weather conditions within the specified time frame.

**Imminent**—failure has started or is most likely to occur in the near future, even if there is no significant wind or increased load. This is a rare occurrence for a risk assessor to encounter, and it may require immediate action to protect people from harm.

Since these categories are time dependent, the time frame must be considered. The time frame is recorded on the first page.

The likelihood of impacting a target can be categorized using the following guidelines:

**Very low**—the chance of the failed tree or branch impacting the specified target is remote. This is the case in a rarely used site fully exposed to the assessed tree or an occasionally used site that is partially protected by trees or structures. Examples include a rarely used trail or trail head in a rural area, or an occasionally used area that has some protection against being struck by the tree failure due to the presence of other trees between the tree being assessed and the targets.

**Low**—it is not likely that the failed tree or branch will impact the target. This is the case in an occasionally used area that is fully exposed to the assessed tree, a frequently used area that is partially exposed to the assessed tree, or a constant target that is well protected from the assessed tree. Examples include a little-used service road next to the assessed tree or a frequently used public street that has a street tree between the street and the assessed tree.

**Medium**—the failed tree or branch may or may not impact the target, with nearly equal likelihood. This is the case in a frequently used area that is fully exposed on one side to the assessed tree or a constantly occupied area that is partially protected from the assessed tree. Examples include a suburban street next to the assessed street tree or a house that is partially protected from the assessed tree by an intermediate tree.

**High**—The failed tree or branch will most likely impact the target. This is the case when a fixed target is fully exposed to the assessed tree or near a high-use road or walkway with an adjacent street tree.

After determining the likelihood of failure and the likelihood of impacting a target, the combined likelihood of a failure impacting a target can be categorized. Matrix 1 can be used as a guide in relating these likelihood factors within a given time frame. The resulting terms (*unlikely, somewhat likely, likely, very likely*) are defined by their use within the table and are used to represent this combination of occurrences in Matrix 2.

Within the Consequences section, one category should be selected (*negligible, minor, significant, severe*). Consequences of failure are estimated based on the amount of harm or damage that will be done to a target. The consequences depend on the part size, fall characteristics, fall distance, and any factors that may protect the risk target from harm. The significance of target values—both monetary and otherwise—are subjective and relative to the client.

The consequences of failure can be categorized using the following guidelines:

**Negligible**—low-value property damage or disruption that can be replaced or repaired, and do not involve personal injury.

**Minor**—low-to-moderate property damage or small disruptions to traffic or a communication utility.


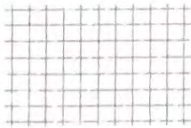
**Significant**—property damage of moderate- to high-value, considerable disruption, or personal injury.

**Severe**—serious personal injury or death, damage to high-value property, or disruption of important activities.

**Risk rating of part**—the risk rating of the individual part for a specified target; the risk rating is categorized using Matrix 2: Risk rating matrix. Risk rating terms are *low, moderate, high*, and *extreme*.



## Section 8—Notes, Mitigation and Limitations

Notes, explanations, descriptions _____ _____ _____ _____			
Mitigation options _____ _____ _____	Residual risk _____ Residual risk _____ Residual risk _____ Residual risk _____		
Overall tree risk rating    Low <input type="checkbox"/> Moderate <input type="checkbox"/> High <input type="checkbox"/> Extreme <input type="checkbox"/>		Work priority    1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/>	
Overall residual risk    Low <input type="checkbox"/> Moderate <input type="checkbox"/> High <input type="checkbox"/> Extreme <input type="checkbox"/>		Recommended inspection interval _____	
Data <input type="checkbox"/> Final <input type="checkbox"/> Preliminary    Advanced assessment needed <input type="checkbox"/> No <input type="checkbox"/> Yes-Type/Reason _____			
Inspection limitations <input type="checkbox"/> None <input type="checkbox"/> Visibility <input type="checkbox"/> Access <input type="checkbox"/> Vines <input type="checkbox"/> Root collar buried    Describe _____			

Upon completion of the assessment, use this section to illustrate potential areas of concern, and to offer mitigation options. Any further recommendations or notes should be included in this section.

**Notes, explanations, descriptions**—space provided to describe any conditions or factors that are not well described elsewhere on the form. Include notes on anything you need to take into consideration for making ratings or recommendations.

The grid, stem, and circle templates are provided for sketching any applicable details related to the tree or site.

**Mitigation options**—list options for mitigating each risk described. List your preferred recommendation on the first line.

**Residual risk**—the residual risk is for the risk remaining after the mitigation you are recommending. Residual risk can be *low*, *moderate*, *high*, or *extreme*.

**Overall tree risk rating**—the highest risk determined for the tree and target of concern. If there is more than one part or target rating, the tree risk rating is the highest of the group.

**Work priority**—recommendation for priority of mitigation action(s). The priority aids in communicating the urgency of mitigation for an individual tree. This may be a number (e.g., 1, 2, 3, 4) or you may assign words (e.g., immediate, as soon as possible, when the workload allows; or immediate, high, medium, low). Numbers have been included on the datasheet, with “1” meaning the highest priority.

The shaded rows in the Risk Categorization chart may be used to assess residual risk after proposed mitigation. For each mitigation action, rate the expected risk remaining after treatment using the same methodology for categorizing risk as before.

**Overall residual risk**—risk remaining if the highest-risk tree part is mitigated.

**Recommended inspection interval**—recommended time for reinspection or inspection frequency.

**Data**—use these boxes to indicate whether this assessment is final or preliminary.

**Advanced assessment needed**—note the reason for any advanced assessment recommended.

**Inspection limitations**—note and/or describe any factors that limited your ability to inspect the tree, or check “none.”

# ISA Basic Tree Risk Assessment Form

Client \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_  
 Address/Tree location \_\_\_\_\_ Tree no. \_\_\_\_\_ Sheet \_\_\_\_\_ of \_\_\_\_\_  
 Tree species \_\_\_\_\_ dbh \_\_\_\_\_ Height \_\_\_\_\_ Crown spread dia. \_\_\_\_\_  
 Assessor(s) \_\_\_\_\_ Time frame \_\_\_\_\_ Tools used \_\_\_\_\_

## Target Assessment

Target number	Target description	Target zone			Occupancy rate 1 - rare 2 - occasional 3 - frequent 4 - constant	Practical to move target?	Restriction practical?
		Target within drip line	Target within 1 x ht.	Target within 1.5 x ht.			
1							
2							
3							
4							

## Site Factors

History of failures \_\_\_\_\_ Topography Flat ☐ Slope ☐ \_\_\_\_\_ % Aspect \_\_\_\_\_  
 Site changes None ☐ Grade change ☐ Site clearing ☐ Changed soil hydrology ☐ Root cuts ☐ Describe \_\_\_\_\_  
 Soil conditions Limited volume ☐ Saturated ☐ Shallow ☐ Compacted ☐ Pavement over roots ☐ \_\_\_\_\_ % Describe \_\_\_\_\_  
 Prevailing wind direction \_\_\_\_\_ Common weather Strong winds ☐ Ice ☐ Snow ☐ Heavy rain ☐ Describe \_\_\_\_\_

## Tree Health and Species Profile

Vigor Low ☐ Normal ☐ High ☐ Foliage None (seasonal) ☐ None (dead) ☐ Normal \_\_\_\_\_ % Chlorotic \_\_\_\_\_ % Necrotic \_\_\_\_\_ %  
 Pests \_\_\_\_\_ Abiotic \_\_\_\_\_  
 Species failure profile Branches ☐ Trunk ☐ Roots ☐ Describe \_\_\_\_\_

## Load Factors

Wind exposure Protected ☐ Partial ☐ Full ☐ Wind funneling ☐ \_\_\_\_\_ Relative crown size Small ☐ Medium ☐ Large ☐  
 Crown density Sparse ☐ Normal ☐ Dense ☐ Interior branches Few ☐ Normal ☐ Dense ☐ Vines/Mistletoe/Moss ☐ \_\_\_\_\_  
 Recent or planned change in load factors \_\_\_\_\_

## Tree Defects and Conditions Affecting the Likelihood of Failure

### — Crown and Branches —

Unbalanced crown ☐ LCR \_\_\_\_\_ % Cracks ☐ \_\_\_\_\_ Lightning damage ☐  
 Dead twigs/branches ☐ \_\_\_\_\_ % overall Max. dia. \_\_\_\_\_ Codominant ☐ \_\_\_\_\_ Included bark ☐  
 Broken/Hangers Number \_\_\_\_\_ Max. dia. \_\_\_\_\_ Weak attachments ☐ \_\_\_\_\_ Cavity/Nest hole \_\_\_\_\_ % circ.  
 Over-extended branches ☐ Previous branch failures ☐ \_\_\_\_\_ Similar branches present ☐  
**Pruning history**  
 Crown cleaned ☐ Thinned ☐ Raised ☐ Dead/Missing bark ☐ Cankers/Galls/Burls ☐ Sapwood damage/decay ☐  
 Reduced ☐ Topped ☐ Lion-tailed ☐ Conks ☐ Heartwood decay ☐ \_\_\_\_\_  
 Flush cuts ☐ Other \_\_\_\_\_ Response growth \_\_\_\_\_  
 Main concern(s) \_\_\_\_\_

Load on defect N/A ☐ Minor ☐ Moderate ☐ Significant ☐ \_\_\_\_\_  
 Likelihood of failure Improbable ☐ Possible ☐ Probable ☐ Imminent ☐ \_\_\_\_\_

### — Trunk —

Dead/Missing bark ☐ Abnormal bark texture/color ☐  
 Codominant stems ☐ Included bark ☐ Cracks ☐  
 Sapwood damage/decay ☐ Cankers/Galls/Burls ☐ Sap ooze ☐  
 Lightning damage ☐ Heartwood decay ☐ Conks/Mushrooms ☐  
 Cavity/Nest hole \_\_\_\_\_ % circ. Depth \_\_\_\_\_ Poor taper ☐  
 Lean \_\_\_\_\_ \* Corrected? \_\_\_\_\_  
 Response growth \_\_\_\_\_  
 Main concern(s) \_\_\_\_\_

Load on defect N/A ☐ Minor ☐ Moderate ☐ Significant ☐  
 Likelihood of failure Improbable ☐ Possible ☐ Probable ☐ Imminent ☐

### — Roots and Root Collar —

Collar buried/Not visible ☐ Depth \_\_\_\_\_ Stem girdling ☐  
 Dead ☐ Decay ☐ Conks/Mushrooms ☐  
 Ooze ☐ Cavity ☐ \_\_\_\_\_ % circ.  
 Cracks ☐ Cut/Damaged roots ☐ Distance from trunk \_\_\_\_\_  
 Root plate lifting ☐ Soil weakness ☐

Response growth \_\_\_\_\_  
 Main concern(s) \_\_\_\_\_

Load on defect N/A ☐ Minor ☐ Moderate ☐ Significant ☐  
 Likelihood of failure Improbable ☐ Possible ☐ Probable ☐ Imminent ☐



### Risk Categorization

Condition number	Tree part	Conditions of concern	Part size	Fall distance	Target number	Target protection	Likelihood												Consequences				Risk rating of part (from Matrix 2)			
							Failure				Impact				Failure & Impact (from Matrix 1)											
							Improbable	Possible	Probable	Imminent	Very low	Low	Medium	High	Unlikely	Somewhat	Likely	Very likely								
1																										
2																										
3																										
4																										

Matrix 1. Likelihood matrix.

Likelihood of Failure	Likelihood of Impacting Target			
	Very low	Low	Medium	High
Imminent	Unlikely	Somewhat likely	Likely	Very likely
Probable	Unlikely	Unlikely	Somewhat likely	Likely
Possible	Unlikely	Unlikely	Unlikely	Somewhat likely
Improbable	Unlikely	Unlikely	Unlikely	Unlikely

Matrix 2. Risk rating matrix.

Likelihood of Failure & Impact	Consequences of Failure			
	Negligible	Minor	Significant	Severe
Very likely	Low	Moderate	High	Extreme
Likely	Low	Moderate	High	High
Somewhat likely	Low	Low	Moderate	Moderate
Unlikely	Low	Low	Low	Low

Notes, explanations, descriptions \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Mitigation options \_\_\_\_\_ Residual risk \_\_\_\_\_  
 \_\_\_\_\_ Residual risk \_\_\_\_\_  
 \_\_\_\_\_ Residual risk \_\_\_\_\_  
 \_\_\_\_\_ Residual risk \_\_\_\_\_

Overall tree risk rating Low ☐ Moderate ☐ High ☐ Extreme ☐

Work priority 1 ☐ 2 ☐ 3 ☐ 4 ☐

Overall residual risk Low ☐ Moderate ☐ High ☐ Extreme ☐

Recommended inspection interval \_\_\_\_\_

Data ☐ Final ☐ Preliminary Advanced assessment needed ☐ No ☐ Yes-Type/Reason \_\_\_\_\_

Inspection limitations ☐ None ☐ Visibility ☐ Access ☐ Vines ☐ Root collar buried Describe \_\_\_\_\_

# Staff Report



# STAFF REPORT

DATE: December 28, 2022

RE: 1701 Von Phister Street ROW  
(permit application # T2022-0462)

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

An application was received requesting the removal of (1) Mahogany tree.  
A site inspection was done and documented the following:

Tree Species: Mahogany (Swietenia mahagoni)



Photo of whole tree showing location.





Photo  
of  
whole  
tree.



Photo of  
base of  
tree and  
main  
trunks in  
relation  
to house.





Photo of tree canopy over house.





Photo of  
base of  
tree and  
main  
trunks.



Photo of  
main  
canopy  
branches.





Photo of  
tree  
canopy.



Photo of  
base of tree,  
view 1.





Photo of base  
of tree, view  
2.



Photo of  
base of tree,  
view 3.





Photos of tree root are next to house. Property owner recently exposed the roots, view 1.





Photos of tree root are next to house. Property owner recently exposed the roots, view 2.



Photo of tree showing location in relation to pool and deck, view 1.





Photo of tree showing location in relation to pool and deck, view 2.



Photo of crack in pool tile closest to house.



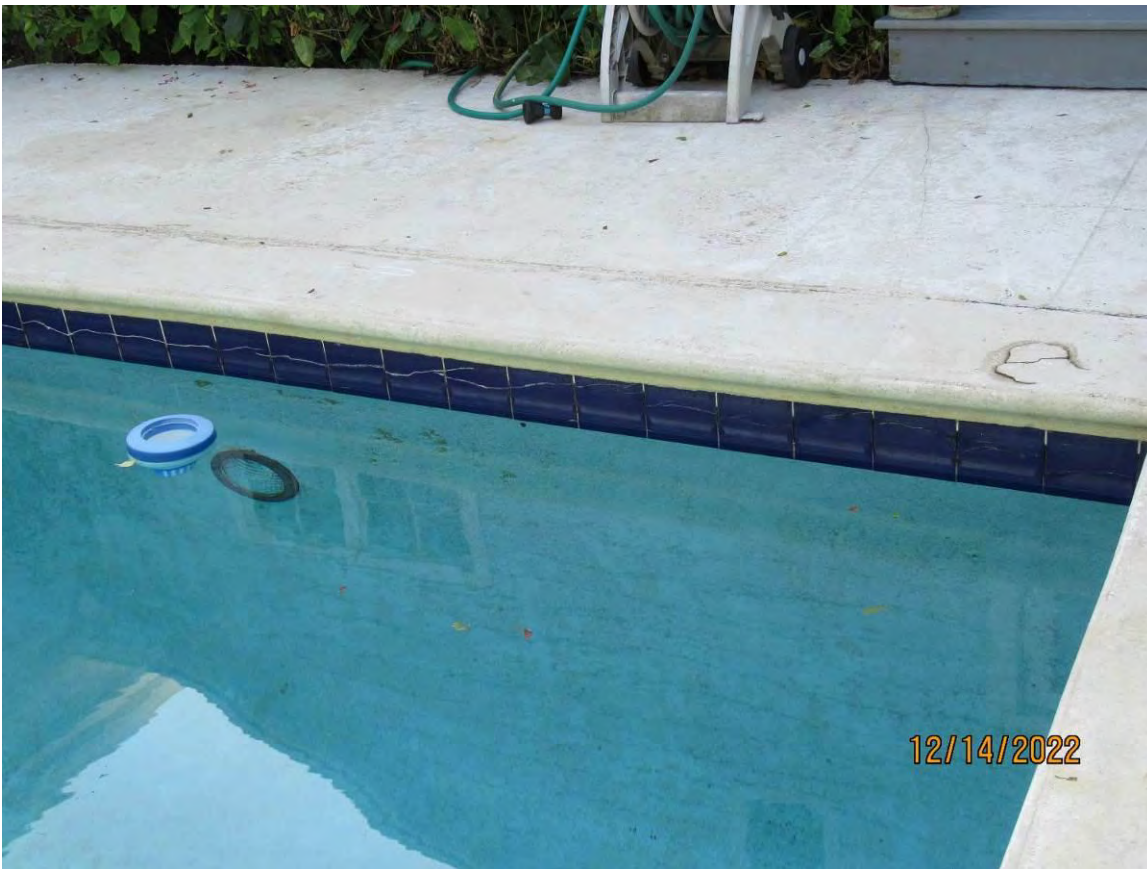


Photo of crack in pool tile closest to street.

August 2022-canopy was trimmed over house (second time). City trimmed canopy over the road in March 2022 (see photo below).





Photo below are five photos from 2020 when property owner cut the roots.







09/22/2020









Diameter: 55.7"

Location: 40% (very visible tree growing on City right of way, property owner concerned about roots impacting house)

Species: 100% (on protected tree list)

Condition: 80% (overall condition is good. Tree is healthy. In the past two years two different certified arborists have trimmed the canopy and stated that the tree was in good condition.)

Total Average Value = 73%

Value x Diameter = 40.6 replacement caliper inches

NOTE: Can the roots be trimmed and a root guard installed to prevent future root impacts to structures?



# Additional Information



January 3, 2023

To:

From: Eric Denhart  
1701 Von Phister St.  
Key West, FL 33040

As you know my name is Eric Denhart and I reside at 1701 Von Phister Street for the past 30 years, living alongside a city owned mahogany tree.

With guidance from the past city arborist Cynthia Snell, tree commission members and Karen DeMaria I have struggled to co-exist with this tree. By removing damaging roots and limbs it has proven costly to me, but manageable.

Unfortunately, in recent years the tree has been doing a great deal more damage. It has grown to over 15' in circumference and is close to 60' tall. It sits just six feet from my home.

It is probable that after the installation of eight storm water drains ranging from 35-100' from the tree, that soil hydrology has been affected in the trees surrounding area.

The tree and root system now rely almost entirely on moisture from its closest source, my cistern and pool area under my house just six feet away. This is causing a dramatic increase in damage to the pool deck, tile work, foundation, plumbing and sewer pipes. The repairs to the pool area alone will cost in excess of \$20,000.

In addition, massive limbs weighing in excess of 4000 lbs. hang over my property and threaten the safety of my family and home.

Experts agree that the removal of root structure destabilizes this tree and could cause complete failure in a storm.



I have been insisting the city correct this obvious liability for many years. The continuing threat to the safety of my family and home is unacceptable.

I respectfully demand that the city take appropriate action and have the tree removed. As a tree advocate, I fully support the planting of as many native trees and plants as appropriate next to my home.

This tree poses great danger to both life and property. It is negligent on the city's behalf to allow this threat to continue.

Furthermore, the tree is on city property and is the city's responsibility entirely.































































# Application





T2022-0462

## Tree Permit Application

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

Tree Address 1701 VonPhister- Ashby Row  
Cross/Corner Street (CL00415)  
List Tree Name(s) and Quantity 1- Mahogany

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

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

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

(305) 807-3811

Property Owner Signature

[Signature]

\*Representative Name

Eric Denhart - Property owner

Representative email Address

1701 Von Phister

Representative Mailing Address

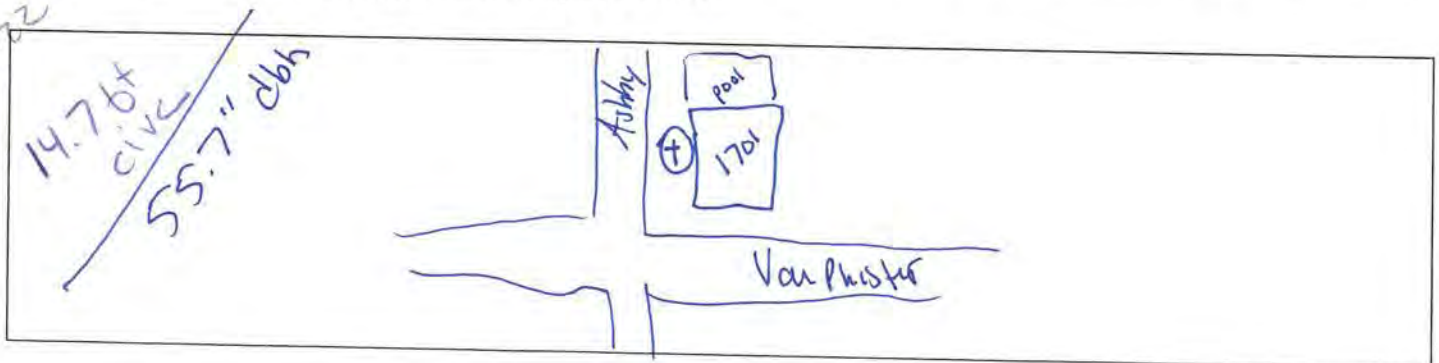
Representative Phone Number

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 20<sup>th</sup> 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

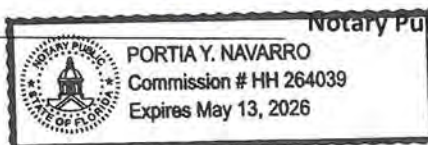
Sign name: Portia Y. Navarro  
Print name: PORTIA Y. NAVARRO

My Commission expires:

Notary Public-State of

FLORIDA

(Seal)





## Karen DeMaria

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**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

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**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](mailto:tstoughton@cityofkeywest-fl.gov)>  
**Sent:** Wednesday, December 14, 2022 7:11 AM  
**To:** Karen DeMaria <[kdemaria@cityofkeywest-fl.gov](mailto: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](mailto: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](mailto:tstoughton@cityofkeywest-fl.gov)>  
**Sent:** Monday, October 31, 2022 7:10 AM



## Karen DeMaria

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**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](mailto:kdemaria@cityofkeywest-fl.gov)>  
**Sent:** Monday, October 31, 2022 8:49 AM  
**To:** Todd C. Stoughton <[tstoughton@cityofkeywest-fl.gov](mailto:tstoughton@cityofkeywest-fl.gov)>  
**Cc:** Ronald Ramsingh <[rramsingh@cityofkeywest-fl.gov](mailto: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](mailto:tstoughton@cityofkeywest-fl.gov)>  
**Sent:** Monday, October 31, 2022 7:10 AM  
**To:** Karen DeMaria <[kdemaria@cityofkeywest-fl.gov](mailto:kdemaria@cityofkeywest-fl.gov)>  
**Cc:** Ronald Ramsingh <[rramsingh@cityofkeywest-fl.gov](mailto: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

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**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](mailto: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

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**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 6<sup>th</sup>) 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

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**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

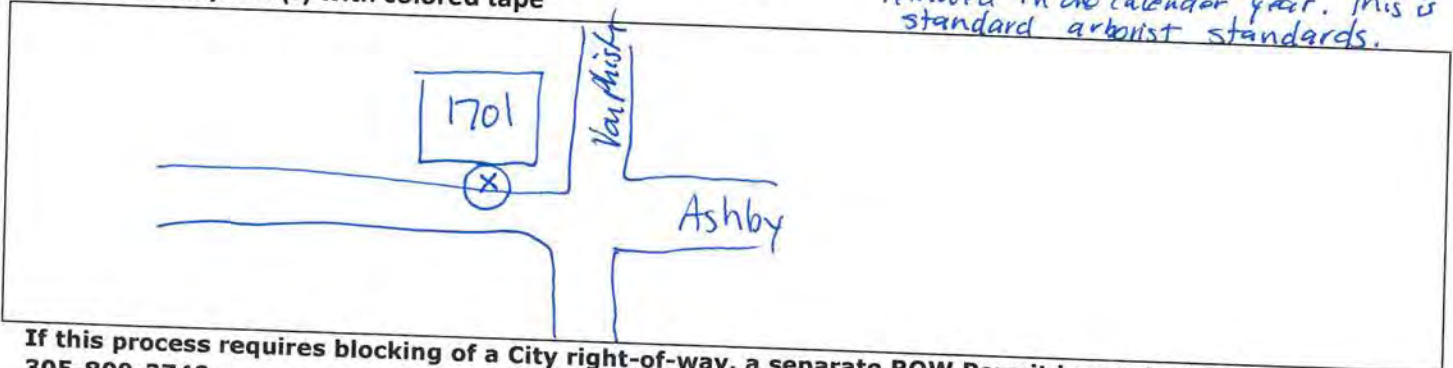
Additional Information and Explanation trim tree canopy on roadside of tree to balance canopy and reduce length of branches. Tree was trimmed a few years ago over house but not on street side. Once this work has been done then tree will be re-evaluated for future additional trimming.

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 DeLana- 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

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**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](mailto:pmclauchlin@cityofkeywest-fl.gov)>  
**Sent:** Tuesday, March 29, 2022 7:56 PM  
**To:** Karen DeMaria <[kdemaria@cityofkeywest-fl.gov](mailto:kdemaria@cityofkeywest-fl.gov)>; Todd C. Stoughton <[tstoughton@cityofkeywest-fl.gov](mailto:tstoughton@cityofkeywest-fl.gov)>  
**Cc:** Ronald Ramsingh <[rramsingh@cityofkeywest-fl.gov](mailto:rramsingh@cityofkeywest-fl.gov)>; Katie P. Halloran <[katie.halloran@cityofkeywest-fl.gov](mailto:katie.halloran@cityofkeywest-fl.gov)>; Laura Estevez <[lestevez@cityofkeywest-fl.gov](mailto:lestevez@cityofkeywest-fl.gov)>; Marcus A. Davila <[madavila@cityofkeywest-fl.gov](mailto:madavila@cityofkeywest-fl.gov)>; Michael J. Turner <[mturner@cityofkeywest-fl.gov](mailto: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](mailto:kdemaria@cityofkeywest-fl.gov)>  
**Sent:** Thursday, March 24, 2022 11:56 AM  
**To:** Todd C. Stoughton <[tstoughton@cityofkeywest-fl.gov](mailto:tstoughton@cityofkeywest-fl.gov)>  
**Cc:** Patti McLauchlin <[pmclauchlin@cityofkeywest-fl.gov](mailto:pmclauchlin@cityofkeywest-fl.gov)>; Ronald Ramsingh <[rramsingh@cityofkeywest-fl.gov](mailto:rramsingh@cityofkeywest-fl.gov)>; Katie P. Halloran <[katie.halloran@cityofkeywest-fl.gov](mailto:katie.halloran@cityofkeywest-fl.gov)>; Laura Estevez <[lestevez@cityofkeywest-fl.gov](mailto:lestevez@cityofkeywest-fl.gov)>; Marcus A. Davila <[madavila@cityofkeywest-fl.gov](mailto:madavila@cityofkeywest-fl.gov)>; Michael J. Turner <[mturner@cityofkeywest-fl.gov](mailto: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

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**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

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**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

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



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](http://www.Urban.forestry.com)

[www.treecutpros.com](http://www.treecutpros.com)

[www.treesaregood.com](http://www.treesaregood.com)

[www.allabouttrees.com](http://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."

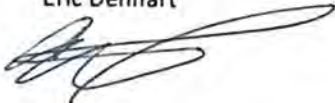
You and I spoke to such a contractor hired by Keys Energy from Asplundh over four months ago. We agreed that this issue could and should be addressed.

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

**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.



February 22, 2022

To: Karen DeMaria

From: Eric Denhart  
[denharte@bellsouth.net](mailto: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

**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.



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.



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