THE CITY OF KEY WEST
Tree Commission
Post Office Box 1409 Key West, FL 33041-1409
Telephone: 305-809-3786

NOTICE OF ADMINISTRATIVE HEARING BEFORE THE TREE COMMISSION OF THE CITY OF KEY WEST

May 23, 2025

Tree Commission
City of Key West
Petitioner,

Vs.

Zachary Williams
3982 Echo Valley Rd
Barboursville, VA

Lower Keys Trees
1608 Rose St
Key West, FL 33040

An administrative hearing before the Tree Commission for the City of Key West will be held on **Tuesday, June 17, 2025,** at 5:00 p.m., at **Josephine Parker City Hall at Historic Glynn R. Archer School, 1300 White Street, Key West, Florida.**

This hearing will be conducted pursuant to sections 110-288 et. seq. of the Key West City Code. The purpose of this hearing will be to determine if a code violation has been committed by the above named Respondent(s). **Your presence is required at this Tree Commission meeting**.

Date of alleged violation: prior to April 23, 2025 at 729 Olivia St, Key West, FL:

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:

(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.

Sec. 110-321. - Required.

(a) Unless a tree removal permit approved by the tree commission and issued by the urban forestry manager has been obtained, no person, whether on publicly or privately owned land,

shall cause tree abuse or other harm, or major maintenance to, hatracking, transplanting, topping or removal of the following:

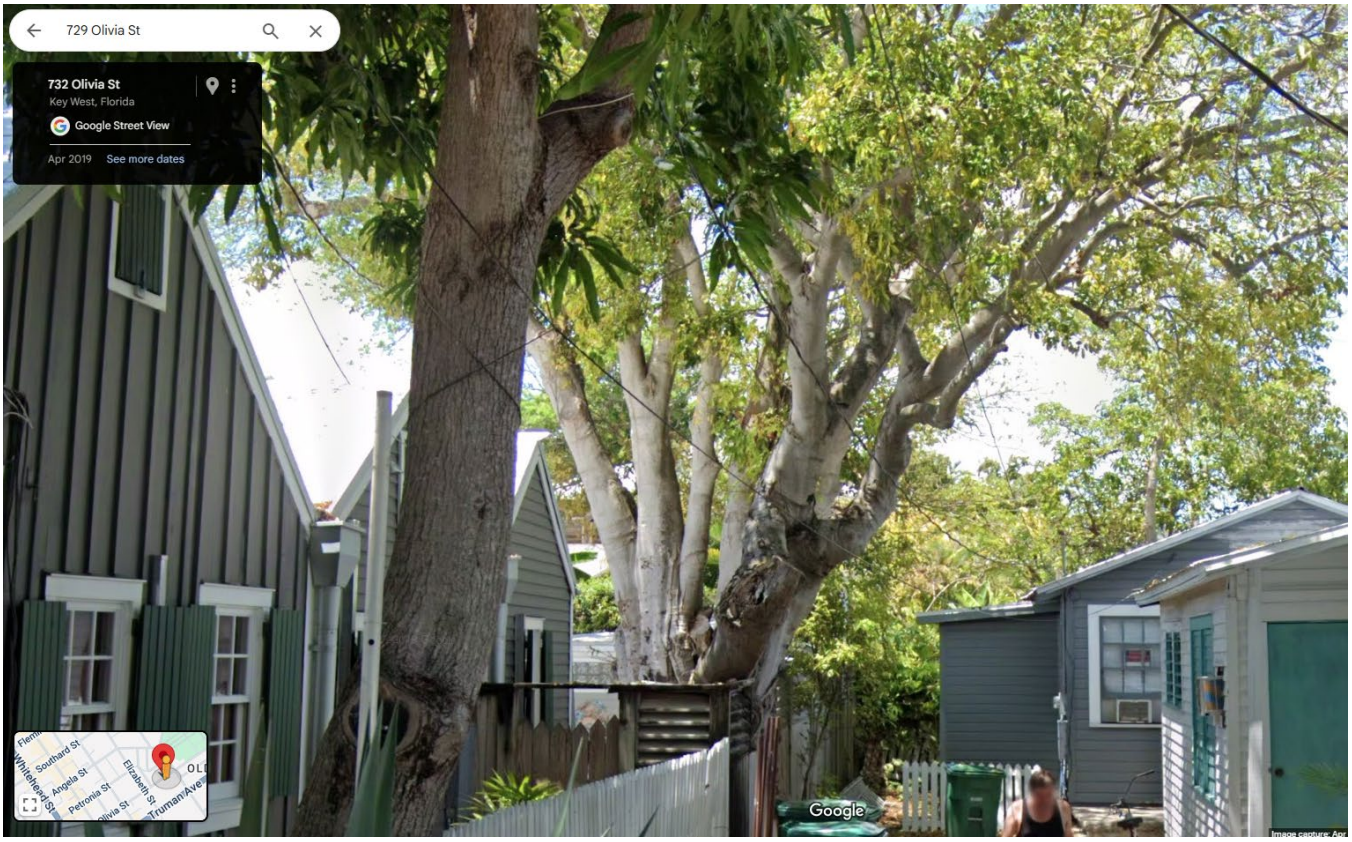
(1) Any tree listed as "specially protected" in section 110-253; or

(3) Any dicot/canopy tree which is four (4) inches or more in diameter at standard height (DSH)

Factual allegation: (1) Tamarind was completely cut to the ground in the front yard, (1) Spanish Lime had a large trunk cut and removed, and (1) Spanish Lime was cut to approximately 6ft in height without a permit from Urban Forestry/ the Tree Commission.

The property owner submitted an after-the-fact application on April 8th after the Tamarind tree had been removed requesting approval on the basis that the tree had termites and was impacting the house. I informed him that I needed to approve the approval prior to the removal, so this would be an enforcement case. During the April 23rd inspection, the property owner and property manager stated the Spanish Limes had been like that for a while, but based on aerials, previous photos, the appearance of a new cut near Spanish Lime #1, and fresh saw dust near Spanish Lime #2, it is my determination the trees were affected at the same time as the tamarind.

Google Street View of 729 Olivia St – 2019 – Looking at the front of the property with the Tamarind



Google streetview between 729 and 733 Olivia St – 2019 – looking at the Spanish Lime along the fenceline, and the 2025 aerial from Monroe County Property Appraiser's website

A photo of the Tamarind during an inspection on April 11, 2016 and a photo of the same Tamarind from driving by on April 7, 2025

A photo of the Tamarind's reamining stump and a photo of how I measured the stump – I used the regular measurement side, not the diameter side.

Two photos of Spanish Lime #1 taken during an inspection on April 23, 2025. I circled where the trunk that has since been removed.

A photo of Spanish Lime #2 with the tree itself missing circled

If the Tree Commission for the City of Key West finds that there has been a violation of the above code section, it will elect to enter into a compliance settlement agreement pursuant to section 110-291 of the Key West City Code or recommend a fine and further hearing before the Special Master of the City of Key West pursuant to section 110-294 of the Key West City Code.

Attendees are hereby notified that a complete and accurate record of the proceeding is required under Florida Statute 286.0105 if an appeal is sought. Appellants are responsible for providing transcription services.

I hereby certify that the forgoing notice has been sent via e-mail, regular mail, and certified U.S. Mail to the above named Respondent's listed address on this **28th Day of May, 2025.**

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

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Mckenzie Fraley
Urban Forestry Manager
tree@cityofkeywest-fl.gov