City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Tree Commission

Tuesday, August 19, 2025 | **5:00 PM** | **City Hall**

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

FOR VISUAL PRESENTATIONS: For City Commission meetings the City Clerk's Office will need a copy of all presentations for the agenda at least 7 days before the meeting.

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

Roll Call

Commissioner Johnson attended virtually via media technology. It was determined that Commissioner Johnson's physical absence was not due to exceptional circumstances so therefore, he did not vote.

Absent 1 - Commissioner Cabanas

Present 6 - Commissioner Cullen, Commissioner Cunningham, Commissioner Henriquez, Commissioner Johnson, Vice Chair Pope, and Chairman McRAE

Pledge of Allegiance to the Flag

Approval of Agenda

The agenda was unanimously approved as presented

Administering the Oath by the Clerk of the Commission

Approval of Minutes

A motion was made by Commissioner Cunningham, seconded by Commissioner Cullen, to approve the Minutes. The motion passed unanimously.

1 July 15, 2025

Attachments: Minutes

Old Business

2 Request for Postponement by Applicant: 820 Georgia St./T2025-0088/Byron Colley
Requesting approval to remove (1) Gumbo Limbo tree.

Attachments: Report and Application

A motion was made by Commissioner Cunningham, seconded by Commissioner Pope, that this Item be Postponed to September 16, 2025. The motion passed by a unanimous vote.

3 701 Palm Ave./T2025-0144/SBY Key West, LLC
Represented by Shorty's Tree and Lawn Care, Clifton Turner
Requesting approval to remove approximately 240 sq ft of mangroves.

Attachments: Report
Application

A motion was made by Commissioner Cunningham, seconded by Commissioner Henriquez, in accordance with Sec.110-327, to approve the removal of approximately 240 square feet of mangroves, at 701 Palm Avenue to be replaced with 39 caliper inches in that location and in accordance with the landscape plan as presented to the Assistant Urban Forestry Manager. The motion passed by a unanimous vote.

4 320 Amelia St./T2025-0138/LNSW LLC, Lily Wang
Requesting approval to remove (1) Mahogany and (1) Silver Buttonwood tree.

Attachments: Report
Application

A motion was made by Commissioner Henriquez, seconded by Commissioner Pope, in accordance with Sec.110-327, to approve the removal of (1) Mahogany and (1) Silver Buttonwood tree, at 320 Amelia Street to be replaced with 11 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by a unanimous vote.

5 2801 Patterson Ave. and City ROW/T2025-0149/John and Tiffany Hughes
Requesting approval to remove (1) Seagrape tree.

Attachments: Report
Application

A motion was made by Commissioner Cunningham, seconded by Commissioner Henriquez, in accordance with Sec.110-327, to approve the removal of (1) Seagrape tree, at 2801 Patterson Avenue to be replaced with 5.3 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by a unanimous vote.

New Business

6 601 Howard England Way (Fort Zachary Taylor Park)
T2025-0156/FDEP-Bureau of Design & Construction
Represented by Alfonso Suarez
Requesting approval to remove (2) Gumbo Limbos (1) Mahogany tree and (1) Green Buttonwood tree.

Attachments: Report
Application

Commissioner Cunningham recused himself and left the dais prior to the motion.

A motion was made by Commissioner Henriquez, seconded by Commissioner Pope, in accordance with Sec.110-327, to approve the removal of (2) Gumbo Limbos (1) Mahogany tree and (1) Green Buttonwood tree, at 601 Howard England Way (Fort Zachary Taylor Park) to be replaced with 39 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by a unanimous vote.

7 1213 & 1215 Eliza St./T2025-0160/Key West Eliza 65, LLC
Represented by Clifton Turner-Shorty's Tree & Lawn Care
Requesting approval to remove (2) Paradise trees.

Attachments: Report
Application

Commissioner Cunningham returned to the dais.

A motion was made by Commissioner Pope, seconded by Commissioner Cullen, in accordance with Sec.110-327, to approve the removal of (2) Paradise trees , at 1213 & 1215 Eliza Street to be replaced with 22 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by a unanimous vote.

8 900 Duval St./T2025-0161/Lillian Kehoe
Represented by Nick Dent & John Hartman
Requesting approval to remove (1) Mahogany tree.

Attachments: Report
Application

A motion was made by Commissioner Pope, seconded by Commissioner Henriquez, that this Item be Postponed to September 16, 2025. The motion passed by a unanimous vote.

9 506 Peary Ct./T2025-0168/Peary Court Apartments, LLC
Represented by John Hartman-Limbwalkers
Requesting approval to remove (1) Madras Thorn tree.

Attachments: Report
Application

A motion was made by Commissioner Pope, seconded by Commissioner Cullen, in accordance with Sec.110-327, to approve the removal of (1) Madras Thorn tree, at 506 Peary Court to be replaced with 34.7 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site, with an emphasis on canopy trees. The motion passed by a unanimous vote.

10 714 Southard St./T2025-0167/Sheryl Hanes
Represented by Sean Creedon-Tree Man LLC
Requesting approval to remove (1) Spanish Lime tree.

Attachments: Report
Application
Email comments
U of F IFAS email

A motion was made by Commissioner Pope, seconded by Commissioner Henriquez, in accordance with Sec.110-327, to approve the removal of (1) Spanish Lime tree, at 714 Southard Street to be replaced with 30 caliper inches of dicot or fruit trees from the approved list, FL#1. The motion passed by a unanimous vote.

11 1018 Olivia St./T2025-0172/Wendy Hamilton
Represented by Sean Creedon-Tree Man LLC
Requesting approval to remove (1) Buttonwood tree.

Attachments: Report
Application

A motion was made by Commissioner Cunnigham, seconded by Commissioner Henriquez, in accordance with Sec.110-327, to approve the removal of (1) Buttonwood tree, at 1018 Olivia Street to be replaced with 15.7 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by a unanimous vote.

12 600 Frances St./T2025-0174/600 Frances Street Building LLC
Represented by Ken King-Golden Bough
Requesting approval to remove (1) Almond tree.

Attachments: Report
Application

A motion was made by Commissioner Henriquez, seconded by Commissioner Cullen, in accordance with Sec.110-327, to approve the removal of (1) Almond tree, at 600 Frances Street to be replaced with 3.3 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on another site within City limits. The motion passed by a unanimous vote.

13 1421 White St./T2025-0175/Christopher Gaenzle
Represented by Ken King-Golden Bough
Requesting approval to remove (1) Seagrape tree.

Attachments: Report
Application

A motion was made by Commissioner Cunningham, seconded by Commissioner Henriquez, in accordance with Sec.110-327, to approve the removal of (1) Seagrape tree, at 1421 White Street to be replaced with 3.6 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by a unanimous vote.

14 3608 Duck Ave./T2025-0176/Michael Santis
Represented by Ken King-Golden Bough
Requesting approval to remove (1) Black Olive tree.

Attachments: Report
Application

A motion was made by Commissioner Henriquez, seconded by Commissioner Cullen, in accordance with Sec.110-327, to approve the removal of (1) Black Olive tree, at 3608 Duck Avenue to be replaced with 5.2 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote.

No: 1 - Commissioner Cunningham

Absent: 1 - Commissioner Cabanas

Yes: 4 - Commissioner Cullen, Commissioner Henriquez, Vice Chair Pope, and Chairman McRAE

15 3101 N. Roosevelt Blvd./T2024-0016/Christopher Holland LLC
Represented by Keith Oropeza
Requesting Final Landscape approval.

Attachments: Report
Final landscape plan

A motion was made by Commissioner Cunningham, seconded by Commissioner Pope, to approve the Final Landscape Plan at 3101 N. Roosevelt Boulevard. The motion passed by a unanimous vote.

16 3201 Flagler Ave./T2025-0173/Flagler Center III Condominium Assoc.
Represented by Oropeza, Stones, & Cardenas PLLC.
Requesting Conceptual Landscape Plan approval.

Attachments: Report
Conceptual Plan

A motion was made by Commissioner Cunningham, seconded by Commissioner Cullen, to approve the Conceptual Landscape Plan at 3201 Flagler Avenue. The motion passed by a unanimous vote.

Old Business - Continued

17 2429 Fogarty Ave./T2025-0035/Samuel Snodgrass
Requesting approval to remove (1) Mahogany tree.

Attachments: Report and Application

A motion was made by Commissioner Cunningham, seconded by Commissioner Pope, to table this Item until the end of the meeting. The motion passed by a unanimous vote.

Due to 4 prior Postponements and no representation at this meeting, staff recommended to Withdraw this item and require the applicant to resubmit an application when ready to proceed. The motion passed by a unanimous vote.

Reports

Public Comments

Commissioner Comments

Adjournment - 7:05 P.M.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
Cousin Cohen Edward Lee	Tree Commission
MAILING ADDRESS: 1310 Olivia St.	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY: Key West COUNTY: Monroe	NAME OF POLITICAL SUBDIVISION: Florida
DATE ON WHICH VOTE OCCURRED: 8-19-25	MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

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ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

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APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, EDWARD L. CUNNINGHAM, hereby disclose that on Aug 19, 20 25:

(a) A measure came or will come before my agency which (check one or more)

___ inured to my special private gain or loss;

___ inured to the special gain or loss of my business associate, _____;

___ inured to the special gain or loss of my relative, _____;

✓ inured to the special gain or loss of permit approval (Building & hardscape plan, by whom I am retained; or

___ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I am employed at FT Taylor by the State of Florida, Dept. Environmental Protection.

#7

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

8-19-25
Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.