



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Tree Commission

Tuesday, February 12, 2019

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.

ALL VISUAL PRESENTATIONS FOR AGENDA ITEMS MUST BE RECEIVED (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.

Call Meeting To Order - 5:01pm

Roll Call

Commissioner Jeff Stotts arrived after item 15 was heard, but before item 16 was heard.

Present 7 - Ms. Bravo, Ms. Cabanas, Mr. Mellies II, Mr. Pope, Mr. Stotts, Madam Vice-Chair Sullivan, and Chairman Jackson

Pledge of Allegiance to the Flag

Approval of Agenda

A motion was made by Madam Vice-Chair Sue Sullivan and seconded by Commissioner Denise Bravo to approve the agenda as amended. The motion passed by a unanimous vote.

Absent 1- Mr. Stotts

Approval of Minutes

1

January 8, 2019

Attachments: [Minutes](#)

A motion was made by Commissioner Bravo, seconded by Madam Vice-Chair Sullivan, that the Minutes be Approved. The motion passed by a unanimous vote.

Absent: 1 - Mr. Stotts

Yes: 6 - Commissioner Bravo, Commissioner Cabanas, Commissioner Mellies II, Mr. Pope, Madam Vice-Chair Sullivan, and Chairman Jackson

Old Business

- 2 831 Georgia Street/T2018-0145/825 Georgia Street LLC
Represented by: Oropeza, Stones & Cardenas, PLLC
Requesting approval to remove (2) Gumbo Limbo and (1) Mahogany trees.

Attachments: [\(LARGE FILE\) Staff Report](#)
 [\(LARGE FILE\) Application](#)

A motion was made by Madam Vice-Chair Sullivan, seconded by Commissioner Bravo, in accordance with section 110-327, the approval for the removal of (2) Gumbo Limbo and (1) Mahogany trees, to be replaced with 21.6 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:

Absent: 1 - Mr. Stotts

Yes: 6 - Commissioner Bravo, Commissioner Cabanas, Commissioner Mellies II, Mr. Pope, Madam Vice-Chair Sullivan, and Chairman Jackson

New Business

- 3 205 & 207 Virginia Street/T2018-0169/Saddlebunch Investments, LLC
Represented by: Carl Gilley Landscape Design
Requesting approval to remove (1) Strangler Fig tree.

Attachments: [Report and Application](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Mellies II, in accordance with section 110-327, the approval for the removal of (1) Strangler Fig, to be replaced with 10.5 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:

Absent: 1 - Mr. Stotts

Yes: 6 - Commissioner Bravo, Commissioner Cabanas, Commissioner Mellies II, Mr. Pope, Madam Vice-Chair Sullivan, and Chairman Jackson

- 4 710 Chapman Lane/T2019-0003/Peter Kohnke & Denise
Odenauer-Kohnke
Requesting approval to remove (1) Spanish Lime tree.

Attachments: [Report and Application](#)

A motion was made by Commissioner Mellies II, seconded by Madam Vice-Chair Sullivan, in accordance with section 110-327, the approval for the removal of (1) Spanish Lime tree, to be replaced with 23.1 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:

Absent: 1 - Mr. Stotts

Yes: 6 - Commissioner Bravo, Commissioner Cabanas, Commissioner Mellies II, Mr. Pope, Madam Vice-Chair Sullivan, and Chairman Jackson

- 5** 2300 Harris Avenue/T2019-0004/Warren Leamard
Requesting approval to remove (1) Royal Poinciana tree.

Attachments: [\(LARGE FILE\) Report and Application](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Cabanas, in accordance with section 110-327, the approval for the removal of (1) Royal Poinciana tree, to be replaced with 13 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:

Absent: 1 - Mr. Stotts

Yes: 6 - Commissioner Bravo, Commissioner Cabanas, Commissioner Mellies II, Mr. Pope, Madam Vice-Chair Sullivan, and Chairman Jackson

- 6** 3630 Flagler Avenue/T2019-0005/Dr. Taweh Beysolow
Represented by: Mama's Garden Center
Requesting approval to remove (1) Gumbo Limbo tree.

Attachments: [\(LARGE FILE\) Report and Application](#)
[Sidewalk Update-Photos](#)

A motion was made by Madam Vice-Chair Sullivan, seconded by Commissioner Cabanas to Table this item to the end of the meeting. The motion carried by the following vote:

Absent: 1 - Mr. Stotts

Yes: 6 - Commissioner Bravo, Commissioner Cabanas, Commissioner Mellies II, Mr. Pope, Madam Vice-Chair Sullivan, and Chairman Jackson

- 7** 629 Elizabeth Street/T2019-0009/Blue Water SC, LLC
Represented by: Sean Creedon-Treeman LLC
Requesting approval to remove (1) Tropical Almond tree.

Attachments: [Report and Application](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Mellies II, in accordance with section 110-327, the approval for the removal of (1) Tropical Almond tree, to be replaced with 3 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 - Mr. Pope

Absent: 1 - Mr. Stotts

Yes: 5 - Commissioner Bravo, Commissioner Cabanas, Commissioner Mellies II, Madam Vice-Chair Sullivan, and Chairman Jackson

- 8 3338 N. Roosevelt Blvd/T2019-0017/RC Cobb Inc-Regal Cinema
Represented by: Keith Oropeza
Requesting approval to remove (2) Gumbo Limbo and (2) Sea Grape trees.

Attachments: [\(LARGE FILE\) Staff Report](#)
 [\(LARGE FILE\) Application](#)
 [Updated Site and Landscaping Map](#)

A motion was made by Commissioner Pope for reconsideration. The motion failed for lack of a second.

A motion was made by Madam Vice-Chair Sullivan, seconded by Commissioner Cabanas, in accordance with section 110-327, the approval for the removal of (2) Gumbo Limbo and (2) Sea Grape trees, to be replaced with 49.3 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 - Mr. Pope

Absent: 1 - Mr. Stotts

Yes: 5 - Commissioner Bravo, Commissioner Cabanas, Commissioner Mellies II, Madam Vice-Chair Sullivan, and Chairman Jackson

- 9 2222 N. Roosevelt Blvd/T2019-0020/KOAA, LLC & 2222 North Inc
Represented by: Keith Oropeza
Requesting Conceptual Landscape Plan Approval to include the removal of (1) Silver Buttonwood.

Attachments: [Report and Application](#)
 [Updated Landscape Plan and Site Map](#)

A motion was made by Commissioner Bravo, seconded by Madam Vice-Chair Sullivan, in accordance with section 110-327, the approval of the Conceptual Landscape Plan approval with the removal to include (1) Silver Buttonwood tree to be replaced with 12.1 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:

Absent: 1 - Mr. Stotts

Yes: 6 - Commissioner Bravo, Commissioner Cabanas, Commissioner Mellies II, Mr. Pope, Madam Vice-Chair Sullivan, and Chairman Jackson

- 10 412 Truman Avenue ROW/T2019-0022/City of Key West
Represented by: Karen DeMaria
Requesting approval to remove (1) Strangler Fig tree.

Attachments: [Report and Application](#)

A motion was made by Commissioner Bravo, seconded by Madam Vice-Chair Sullivan, in accordance with section 110-327, the approval for the removal of (1) Strangler Fig tree, to be replaced with 2.6 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:

Absent: 1 - Mr. Stotts

Yes: 6 - Commissioner Bravo, Commissioner Cabanas, Commissioner Mellies II, Mr. Pope, Madam Vice-Chair Sullivan, and Chairman Jackson

- 11 2100 Fogarty Avenue/T2019-0030/Marley Claridge & Ryan Stachurski
Requesting approval to remove (1) Royal Poinciana tree.

Attachments: [Report and Application](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Cabanas, in accordance with section 110-327, the approval for the removal of (1) Royal Poinciana tree, to be replaced with 8.3 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:

Absent: 1 - Mr. Stotts

Yes: 6 - Commissioner Bravo, Commissioner Cabanas, Commissioner Mellies II, Mr. Pope, Madam Vice-Chair Sullivan, and Chairman Jackson

- 12 2432 Flagler Avenue/T2019-0032/2432 FL LLC
Represented by: Kenneth King
Requesting approval to remove (2) Gumbo Limbo trees.

Attachments: [Report and Application](#)

The representative requested postponement of the item to the March 2019 meeting. A motion was made by Commissioner Bravo, seconded by Madam Vice-Chair Sullivan, that the Action Items be Postponed. The motion carried by the following vote:

Absent: 1 - Mr. Stotts

Yes: 6 - Commissioner Bravo, Commissioner Cabanas, Commissioner Mellies II, Mr. Pope, Madam Vice-Chair Sullivan, and Chairman Jackson

- 13** 813 Baptist Lane (813 Patone Street)/T2019-0034/Jim Marsh
Represented by: Kenneth King
Requesting approval to remove (1) Tropical Almond tree.

Attachments: [Report and Application](#)

A motion was made by Commissioner Mellies II, seconded by Commissioner Bravo, in accordance with section 110-327, the approval for the removal of (1) Tropical Almond tree, to be replaced with 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 - Mr. Pope

Absent: 1 - Mr. Stotts

Yes: 5 - Commissioner Bravo, Commissioner Cabanas, Commissioner Mellies II, Madam Vice-Chair Sullivan, and Chairman Jackson

- 14** 715 Fleming Street/T2019-0040/5 Higgs Lane, LLC
Requesting approval to remove (1) Paradise tree and (1) Mango tree.

Attachments: [Report and Application](#)

A motion was made by Madam Vice-Chair Sullivan, seconded by Commissioner Cabanas, in accordance with section 110-327, the approval for the removal of (1) Paradise tree and (1) Mango tree, to be replaced with 7.9 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:

Absent: 1 - Mr. Stotts

Yes: 6 - Commissioner Bravo, Commissioner Cabanas, Commissioner Mellies II, Mr. Pope, Madam Vice-Chair Sullivan, and Chairman Jackson

- 15** 1121 Margaret Street/T2019-0041/Logan Enterprises, LLC
Represented by: Just Keys Trees
Requesting approval to remove (1) Spanish Lime tree.

Attachments: [Report and Application](#)

A motion was made by Commissioner Mellies II, seconded by Commissioner Bravo, in accordance with section 110-327, the approval for the removal of (1) Spanish Lime tree, to be replaced with 7.9 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:

Absent: 1 - Mr. Stotts

Yes: 6 - Commissioner Bravo, Commissioner Cabanas, Commissioner Mellies II, Mr. Pope, Madam Vice-Chair Sullivan, and Chairman Jackson

- 16 322 Elizabeth Street/T2019-0045/1227 Duval Street LLC
Represented by: Just Keys Trees
Requesting approval to remove (1) Horseflesh Mahogany, (1) Autograph tree, (1) Mango, and (1) African Tulip tree.

Attachments: [\(LARGE FILE\) Staff report](#)
 [\(LARGE FILE\) Application](#)

A motion was made by Commissioner Neil S. Mellies II, seconded by Madam Vice-Chair Sue Sullivan, in accordance with section 110-327, the approval for the removal of (1) Horseflesh Mahogany (1) Autograph tree (1) Mango and (1) African Tulip tree, to be replaced with 21 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by an unanimous vote.

- 17 3755 S. Roosevelt Blvd/T2019-0049/Key West Hotels, LLC
Represented by: Keith Oropeza
Requesting approval to remove (2) Orange Geiger trees at the Key West Ambassador hotel property.

Attachments: [Report and Application](#)
 [Update Site Maps and Tree Clarification](#)

This item was amended at the beginning of meeting to remove (1) Wax Myrtle. A motion was made by Commissioner Denise Bravo, seconded by Madam Vice-Chair Sue Sullivan, in accordance with section 110-327, the approval for the removal of (2) Orange Geiger to be replaced with 5 caliper inches of dicot or fruit trees from the approved list, FL#1, to include (2) Orange Geiger trees to be planted at the Key West Ambassador Hotel property. The motion passed by an unanimous vote.

Administrative Hearing

- 18 804 Catherine Street/James & Mary Rando (owner)
Respondant: James & Mary Rando
The trimming of (1) Mango tree was done improperly and without benefit of a heavy maintenance trimming permit by unlicensed individuals.

Attachments: [Administrative Hearing Notice](#)
 [Staff Report](#)
 [Updated Site Photos](#)

A motion was made by Madam Vice-Chair Sue Sullivan, seconded by Commissioner Denise Bravo, in accordance with Sec. 110-291 that the City of Key West enter into a compliance agreement with the property owner. The property owner agreed to replant 6 caliper inches of Mango trees on site. The motion passed by an unanimous vote.

- 19 5900 College Road/ LKMC (Owner)
Respondants: Charley Toppino & Sons, KeyStar Inc, and John Mumford-Details Landscaping
The removal of (5) Thatch Palm rootballs without benefit of a tree removal permit. Palms were supposed to be transplanted, as per issued permit T17-8717.

Attachments: [Administrative Hearing Notice](#)
 [Staff Report](#)

A motion was made by Madam Vice-Chair Sue Sullivan, seconded by Mr. Jeff Stotts, in accordance with Sec. 110-291 that the City of Key West enter into a compliance settlement agreement with the respondent. The respondent agreed to pay a fine of \$500 and the Tree Commission accepted the planting of (5) Thatch Palms on site by the respondents as appropriate replacements for the palms removed. The motion passed by an unanimous vote.

- 6 3630 Flagler Avenue/T2019-0005/Dr. Taweh Beysolow
Represented by: Mama's Garden Center
Requesting approval to remove (1) Gumbo Limbo tree.

Attachments: [\(LARGE FILE\) Report and Application](#)
 [Sidewalk Update-Photos](#)

A motion was made by Commissioner Neil S. Mellies II, seconded by Madam Vice-Chair Sue Sullivan, that the Action Items be Postponed. The motion passed by an unanimous vote.

Reports

Urban Forestry Manager's Report

Attachments: [JAN 2019 MONTHLY TREE REPORT](#)

Assistant City Attorney's Report

Public Comment

Commissioner's Report

Adjournment- 6:26pm