


## STAFF REPORT

DATE: January 3, 2020

**RE: 720 Emma Street (Tree Commission Permit # T14-7058)**

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



 : Location of trees removed.

Aerial photo showing location of property and trees that were removed.

■ : 720, 722, & 726 Emma Street, all owned by Victor Cushman Estate

On August 20, 2014, an application was received requesting the removal of (2) Strangler Fig trees. The Tree Commission approved the removal of both trees on September 9, 2014. Copies of the application, staff report and permit are attached. The permit required the replacement of a total of 24.8 caliper inches of approved dicot trees, FL#1, to be planted on site.

Notice letters regarding the planting of the required replacements were sent to the property owner on August 27, 2015 and May 19, 2017. On October 18, 2019, a final notice letter was sent to the property owner regarding the open tree permit. On November 20, 2019, a job completion form was received from Joan Cushman with a check for \$300. On November 22, 2019, a letter was sent to Mrs. Cushman regarding the partial payment and the additional need to plant trees or pay additional fees in order to close out the file. Mrs. Cushman responded by requesting an adjustment to the mitigation requirement.



7058

## Tree Permit Application

Date: 8-18-2014

Please Clearly Print All Information unless indicated otherwise.

Tree Address 720 Emma St Key West  
Cross/Corner Street Angelica St  
List Tree Name(s) and Quantity 2 Strangler Figs  
Species Type(s) check all that apply ( ) Palm ( ) Flowering ( ) Fruit (x) Shade ( ) Unsure  
Reason(s) for Application:

(x) REMOVE ( ) Tree Health ( ) Safety ( ) Other/Explain below  
( ) TRANSPLANT ( ) New Location ( ) Same Property ( ) Other/Explain below  
( ) HEAVY MAINTENANCE ( ) Branch Removal ( ) Crown Cleaning/Thinning ( ) Crown Reduction  
Other/Explain Both are located in a small space between  
the buildings & have caused damage to  
Reason for Request plumbing & are starting to ruin  
building

Property Owner Name Peter L. Cushman  
Property Owner eMail Address pc@keywestjama  
Property Owner Mailing Address P.O. Box 1551  
Property Owner Mailing City Key West State FL Zip 33041-1551  
Property Owner Phone Number (305) 295-9000  
Property Owner Signature \_\_\_\_\_

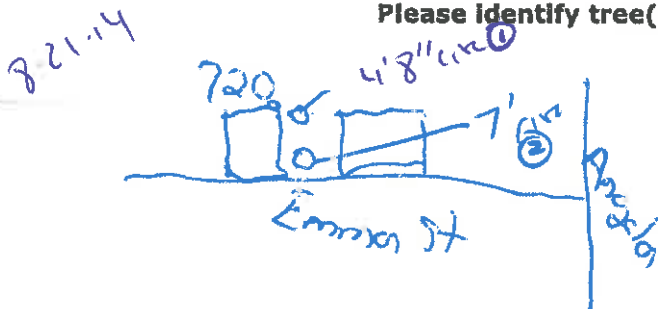
Representative Name Nick Downs, A Caring Tree Co  
Representative eMail Address acaringtreecompany@gmail  
Representative Mailing Address 19264 ACOSTA Blvd  
Representative Mailing City Sugarloaf Key State F.L. Zip 33042  
Representative Phone Number (305) 432-1764

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 (x)

<<<<< Sketch location of tree in this area including cross/corner Street >>>>>

Please identify tree(s) with colored tape



① 17.8" dbh

② 26.7" dbh

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



## Tree Representation Authorization

Date: 8/18/2014

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.

Tree Address 720 EMMAS ST, KEY WEST, FL

Property Owner Name VICTOR L. CUSHMAN

Property Owner eMail Address JOANNEY.WEST@JLINC

Property Owner Mailing Address PO BOX 1551

Property Owner Mailing City KEY WEST State FL Zip 33041-1551

Property Owner Phone Number (305) 295-9000

Property Owner Signature [Signature]

Representative Name Victor L. Cushman A HARKING TREE SERVICE

Representative eMail Address REPAIRING TREE SERVICE COMPANY Y@GMAIL CC

Representative Mailing Address KEY WEST State FL Zip 33041

Representative Phone Number (305) 432-1144

I, Victor L. Cushman, 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 18<sup>th</sup> day August 2014.

By (Print name of Affiant) Victor L. Cushman who is personally known to me or has produced \_\_\_\_\_ as identification and who did take an oath.

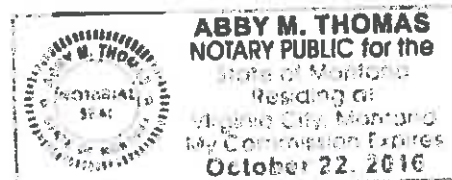
### NOTARY PUBLIC

Sign Name: [Signature]

Print Name: Abby Thomas

My Commission Expires: 10/22/16

MONTANA  
Notary Public - State of Florida (seal)





Karen DeMaria &lt;kdemaria@keywestcity.com&gt;

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Tree 720 Emma St

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Christopher Bradley &lt;cjbrad7@aol.com&gt;

Thu, Aug 21, 2014 at 12:04 PM

To: kdemaria@keywestcity.com

Hi Karen. My name is Chris Bradley. We spoke today when you were at 720 Emma St looking at the tree between 720 and 718 Emma St. I am the president of Bahama Harbor Condo Association. We are located at 716/718 Emma St. Last year one of our owners had to have her plumbing replaced due to a major root problem coming from the tree at 720 Emma St. This tree has grown into our building and caused the plumbing problem. The cost of the plumbing was over \$4000. Since we are a condo, all owners shared in the cost. This cost each owner over \$900. Please have the owners remove this tree. No we are looking at major structural damage to our building if this tree continues to grow.

If you need to contact me my cell is [305-923-6757](tel:305-923-6757).

Thank you for your time.

Christopher J Bradley

716 Emma St

Unit A

Key West, FL 33040



# STAFF REPORT

DATE: August 27, 2014

**RE: 720 Emma Street (permit application #7058)**

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

An application was received for the removal of **(2) Strangler Fig trees**. A site inspection was done on August 21, 2014 and documented the following:

Tree Species: Strangler Fig (*Ficus aurea*)











Tree #1: Diameter: 17.8"

Location: 20% (major foundation issues to two properties-  
structures, sewer and water lines)

Species: 100% (on protected tree list)

Condition: 50% (fair to poor)

Total Average Value = 56%

Value x Diameter = **9.9 replacement caliper inches**

Tree #2: Diameter: 26.7"

Location: 20% (major foundation issues to two properties-  
structures, sewer and water lines)

Species: 100% (on protected tree list)

Condition: 50% (fair to poor)

Total Average Value = 56%

Value x Diameter = **14.9 replacement caliper inches**



**Recommendations: Recommend approval of the removal of (2) Strangler Fig trees located at 720 Emma Street, to be replaced with 24.8 caliper inches of FL#1 native dicot or fruit trees.**



CITY OF KEY WEST

# TREE PERMIT

Permit# 7058 Date Issued September 10, 2014

Address 720 Emma Street

This it to certify that Victor Cushman / Nick Downs-A Caring Tree Company  
has permission to Remove 2-Strangler Fig. Replacement of 24.8" caliper inches,  
FL #1 native dicot or fruit tree(s), to be planted on site. Replacements shall be  
planted in the six months from the approval date as described here in. All plants shall  
be planted according to current 'Best Management Practices'. Call Urban Forestry  
Manager for tree replacement inspection.

as per application approved September 09, 2014

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 City of Key West at 305-809-3740.

## IMPORTANT NOTICE

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

APPROVED BY David Jackson  
David Jackson – Tree Commission Chairman

City of Key West  
Tree Commission  
PO Box 1409  
Key West, FL 33040  
Phone: (305) 809-3723



# **Additional Information**



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

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August 27, 2015

Victor Cushman  
PO Box 1551  
Key West, FL 33041

Dear Applicant:

Our files indicate that a close out inspection was never conducted on the property located at **720 Emma Street** for Tree Commission permit **T14-7058**. The permit authorized the **Removal of 2-Strangler Fig** to be replaced with **24.8" caliper inches, FL #1 native dicot or fruit tree(s), to be planted on site**. Our records indicate that you are the property owner of record.

**This inspection is part of the requirement to complete your obligation for the Tree Commission permit.**

This is a letter to inform you that an inspection is **required** to close the file. Please complete the attached form and return it to our office.

Please do not hesitate to contact the office at 305-809-3723 or at the number listed below for additional information and for verification so that the Tree Commission permit file can be closed.

Sincerely,

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

Karen DeMaria  
Urban Forest Manager  
305-809-3768  
Fax: 305-809-3978  
[kdemaria@cityofkeywest-fl.gov](mailto:kdemaria@cityofkeywest-fl.gov)





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

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May 19, 2017

Victor Cushman  
PO Box 1551  
Key West, FL 33041

Dear Applicant:

Our files indicate that a close out inspection was never conducted on the property located at **720 Emma Street** for Tree Commission permit **T14-7058**. The permit authorized the **Removal of 2-Strangler Fig** to be replaced with **24.8" caliper inches, FL #1 native dicot or fruit tree(s), to be planted on site**. Our records indicate that you are the property owner of record.

**This inspection is part of the requirement to complete your obligation for the Tree Commission permit.**

This is a letter to inform you that an inspection is **required** to close the file. Please complete the attached form and return it to our office.

Please do not hesitate to contact the office at 305-809-3723 or at the number listed below for additional information and for verification so that the Tree Commission permit file can be closed.

Sincerely,

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

Karen DeMaria  
Urban Forest Manager  
305-809-3768  
Fax: 305-809-3978  
[kdemaria@cityofkeywest-fl.gov](mailto:kdemaria@cityofkeywest-fl.gov)



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

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**FINAL NOTICE**

October 18, 2019

Victor Cushman  
PO Box 1551  
Key West, FL 33041

To Whom It May Concern:

Our files indicate that a close out inspection was never conducted on the property located at **720 Emma Street** for Tree Commission permit **T14-7058**. The permit authorized the **Removal of 2-Strangler Fig tree** to be replaced with **24.8" caliper inches, FL #1 native dicot or fruit tree(s), to be planted on site**. Our records indicate that you are the property owner of record.

**This inspection is part of the requirement to complete your obligation for the Tree Commission permit and to close out the permit.**

This letter is to inform you that you have **30 days** to return the attached Job Completion form to schedule the close out inspection or pay the mitigation fee. Several attempts have previously been sent regarding this open tree permit and no response has recently been received. Therefore, if no written contact has been received after 30 days, the file will be referred to Code Compliance for processing in front of the Special Magistrate pursuant to Sec. 110-331 (4) of the City of Key West Code of Ordinances.

Please do not hesitate to contact the office via email, by phone at 305-809-3725, or at the number listed below for additional information and for verification so that the Tree Commission permit file can be closed.

Sincerely,

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

Karen DeMaria  
Urban Forest Manager  
305-809-3768  
[kdemaria@cityofkeywest-fl.gov](mailto:kdemaria@cityofkeywest-fl.gov)





T2019-0534  
RECEIVED

CITY OF KEY WEST

# Tree Permit Job Completion

In order to close out the tree permit, the owner/agent must send in this completed form when the approved work has been completed and the replacement(s) has been completed.

In lieu of planting tree(s), you may choose to pay mitigation fees to the City Tree Fund, please make your check payable to "City of Key West" and make reference to number **00100003660100** on your check. Mitigation fees are as follows: \$250 per tree for palm trees, and/or \$150 per required replacement caliper inch for dicot/canopy or fruit trees.

Permit # T 14-7058

\*\*\*\*\*

The replacement of 2-STRANGLER FIG TREE - \$150 X 2 = \$300.00  
Type of tree(s) planted or Mitigation funds attached

has been completed at 220 EMMA ST, KEY WEST  
Location of tree(s)

Owner Name VICTOR CUSHMAN ESTATE Signature Jean E Cushman  
Print name

Mailing Address PO BOX 1551

Phone Number 305-304-3922 Date 11/14/19

Below please sketch location of replacement tree(s) including structure and cross/corner street names.  
Please identify tree(s) with colored tape.

24.8" x \$150 =  
\$3,720  
- 300  
\$3,420  
still  
owed or  
trees planted  
(22.8")

\*\*\*\*\*

Please send the complete form to the following address:

City of Key West  
Tree Commission  
P.O. Box 1409  
Key West, FL 33041-1409

Key to the Caribbean – average yearly temperature 77 ° Fahrenheit.



# Cash Register Receipt

City of Key West

**Receipt Number**  
**R24302**

DESCRIPTION	ACCOUNT	QTY	PAID
PermitTRAK			\$300.00
TREE2019-0534    Address: 720 EMMA ST    APN: 00013800-000200			\$300.00
TREE			\$300.00
CALIPER REPLACEMENT FEE		0	\$300.00
<b>TOTAL FEES PAID BY RECEIPT: R24302</b>			<b>\$300.00</b>

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Date Paid: Wednesday, November 20, 2019

Paid By: Joan E Cushman

Cashier: MP

Pay Method: CHECK 2106

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**THE CITY OF KEY WEST**  
TREE COMMISSION  
P.O. BOX 1409  
KEY WEST, FL 33041-1409

November 22, 2019

Victor Cushman Estate  
PO Box 1551  
Key West, FL 33041

Dear Mr. Cushman:

Reference is made to tree permit T14-7058 which authorized the removal of (2) Strangler Fig trees located at 720 Emma Street, Key West, FL. We have received your mitigation payment of \$300 to the City of Key West Tree Fund. We are giving partial credit for the amount received. The mitigation amount for this permit based on replacement caliper inches is 24.8" x \$150 = \$3,720. Therefore, in order to close out the file, a payment of \$3,420 is still needed (\$3,720-\$300 received), or the planting of 22.8 caliper inches of approved trees.

Sincerely,

A handwritten signature in blue ink, appearing to read "Karen DeMaria", is written over the word "Sincerely,".

Karen DeMaria  
Urban Forestry Program Manager  
City of Key West  
1300 White Street  
Key West, FL 33040  
305/809-3768 Office  
[kdemaria@cityofkeywest-fl.gov](mailto:kdemaria@cityofkeywest-fl.gov)



## Karen DeMaria

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**From:** Joan Email <[joankeywest@juno.com](mailto:joankeywest@juno.com)>  
**Sent:** Friday, December 27, 2019 5:55 PM  
**To:** Karen DeMaria  
**Subject:** Re: Victor Cushman Estate

My contact information:

Joan E Cushman  
2601 S Roosevelt Blvd, Unit 106A  
Key West, FL 33040  
(305) 304-3922  
Widow of Victor L Cushman

Sent from my iPad

On Dec 27, 2019, at 10:06 AM, Karen DeMaria <[kdemaria@cityofkeywest-fl.gov](mailto:kdemaria@cityofkeywest-fl.gov)> wrote:

Joan,

I need your full name and proper contact information, for the file. How are you related to Victor Cushman and the estate and are you authorized to speak on its behalf? Nothing in our e-mail correspondence has your full name or contact info. I am putting the January 14 Tree Commission agenda together and need this information please.

Sincerely,

Karen

**From:** Joan Email <[joankeywest@juno.com](mailto:joankeywest@juno.com)>  
**Sent:** Wednesday, December 18, 2019 1:47 PM  
**To:** Karen DeMaria <[kdemaria@cityofkeywest-fl.gov](mailto:kdemaria@cityofkeywest-fl.gov)>  
**Subject:** Re: Victor Cushman Estate

Thank you for your response. Yes, I would like to be on the agenda for the January meeting. Will you please forward a copy of the agenda when it's complete.

Regards,  
Joan

Sent from my iPad

On Dec 17, 2019, at 11:50 AM, Karen DeMaria <[kdemaria@cityofkeywest-fl.gov](mailto:kdemaria@cityofkeywest-fl.gov)> wrote:

Joan:

I have received your letter. When the permit was reviewed and issued by the Tree Commission, the required replacements did take into account issues with the trees (see attached staff report). Unfortunately, I can not make any adjustments to the issued



permit, only the Tree Commission can. If you want to discuss this at a Tree Commission meeting, let me know and I will put you on the agenda. The Tree Commission meets once a month with the next meeting scheduled for January 15 (agenda deadline is December 20). I have attached a copy of the Tree Commission meeting schedule for 2020.

Sincerely,

Karen

**From:** Joan Email <[joankeywest@juno.com](mailto:joankeywest@juno.com)>  
**Sent:** Saturday, December 14, 2019 7:44 PM  
**To:** Karen DeMaria <[kdemaria@cityofkeywest-fl.gov](mailto:kdemaria@cityofkeywest-fl.gov)>  
**Subject:** Victor Cushman Estate

Sent from my iPad

<10a- 7058 - 720 Emma St.pdf>

<2020 Tree Meeting Calendar - Website Version.pdf>

# **YOUR NAME ESTATE**

P. O. Box 1551

Key West, Florida 33040

305-304-3922

Joankeywest@juno.com

**December 14, 2019**

Recipient

Urban Forestry Program Manager

City of Key West

1300 White Street

Key West, Florida 33040

**Dear Recipient:**

I'm writing regarding tree permit T14-7058 which authorized the removal of two Strangler Fig trees from the property at 720 Emma Street, Key West, Florida.

As the strangler fig trees were overgrown weeds which had begun to encroach on the plumbing and fence of the Emma Street property as well as our neighbors; I am hoping for an exception could be made to the mitigation amount charged. The cost to remove the strangler fig trees; refill the holes caused by that removal and repair the fence has already cost us in excess of \$3,000. Any adjustment to the mitigation fee would be greatly appreciated.

Sincerely,

**Your Name**

**Disclaimer**

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

**Summary**

Parcel ID 00013800-000200  
 Account# 8761899  
 Property ID 8761899  
 Millage Group 11KW  
 Location Address 720 EMMA ST, KEY WEST  
 Legal Description KW PT LOT 5 SQR 3 TR 3 (A/K/A PARCEL 2 & 1/3 INT IN COMMON AREA) G3-219 OR 1118-1629/32 OR 1229-1198/99F/J OR 2964-1115D/C  
 (Note: Not to be used on legal documents)  
 Neighborhood 6021  
 Property Class SINGLE FAMILY RESID (0100)  
 Subdivision  
 Sec/Twp/Rng 06/68/25  
 Affordable No  
 Housing

**Owner**

CUSHMAN VICTOR L ESTATE  
 PO Box 1551  
 Key West FL 33041

**Valuation**

	2019	2018	2017	2016
+ Market Improvement Value	\$100,599	\$103,318	\$94,738	\$84,374
+ Market Misc Value	\$1,297	\$1,297	\$1,297	\$1,297
+ Market Land Value	\$222,054	\$222,054	\$222,054	\$174,462
= Just Market Value	\$323,950	\$326,669	\$318,089	\$260,133
= Total Assessed Value	\$281,922	\$256,293	\$232,994	\$211,813
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$323,950	\$326,669	\$318,089	\$260,133

**Land**

Land Use	Number of Units	Unit Type	Frontage	Depth
RESIDENTIAL DRY (010D)	1,218.00	Square Foot	26	49

**Buildings**

Building ID	33929	Exterior Walls	ABOVE AVERAGE WOOD
Style	1 STORY ELEV FOUNDATION	Year Built	1938
Building Type	S.F.R. - R1 / R1	Effective Year Built	2000
Gross Sq Ft	952	Foundation	WD CONC PADS
Finished Sq Ft	787	Roof Type	IRR/CUSTOM
Stories	1 Floor	Roof Coverage	METAL
Condition	POOR	Flooring Type	CONC S/B GRND
Perimeter	124	Heating Type	NONE with 0% NONE
Functional Obs	0	Bedrooms	1
Economic Obs	0	Full Bathrooms	2
Depreciation %	27	Half Bathrooms	0
Interior Walls	WALL BD/WD WAL	Grade	450
		Number of Fire Pl	0

Code	Description	Sketch Area	Finished Area	Perimeter
EPB	ENCL PORCH BLK	120	0	0
FLA	FLOOR LIV AREA	787	787	0
OPU	OP PR UNFIN LL	45	0	0
<b>TOTAL</b>		<b>952</b>	<b>787</b>	<b>0</b>

**Yard Items**

Description	Year Built	Roll Year	Quantity	Units	Grade
FENCES	1964	1965	1	15 SF	3
CH LINK FENCE	1964	1965	1	208 SF	1
CONC PATIO	1978	1979	1	213 SF	1
WALL AIR COND	1964	1965	1	2 UT	1



## An aerial photograph of a building with a red outline. The building has several numbers on its facade: '000105' at the top, '72.1' on the left, '43.7' at the top right, '13800' in the center, '0002' below it, '49.7' at the bottom, and '26' on the right. A red number '5' is visible at the bottom left. The text 'Key Was' is written on the right side of the building.

### Trim Notice

No data available for the following modules: Commercial Buildings, Mobile Home Buildings, Exemptions.

Developed by



**Schl**  
**GEOS**

Version 2.3.30





(<https://keysnews.com>)

## Victor L. Cushman

### Key West Citizen

February 20, 2018

VICTOR L. CUSHMAN

Victor L. Cushman, 75, passed away Feb. 15, 2018, at Jackson Memorial Hospital in Miami following a short, unexpected illness surrounded by his loving family. Victor was born May 7, 1942, in Blackfoot, Idaho, the son of Victor A. and Maxine (Thomas) Cushman. He had resided in Key West for more than 40 years moving here from Delaware. Victor attended Columbia University in New York City, New York, where he received his engineering degree, before his move to Key West in the late 70s. He was a local property owner and spent much of his time renovating and caring for his properties. He was a devoted, beloved son, husband, father and grandfather. Victor was also a friend of Bill W in Key West.

He was preceded in death by both his parents and is survived by his wife Joan E. Cushman of Key West; his son Todd Cushman of Westchester, Pennsylvania; step daughter Jacqueline Noel of Columbia, Missouri; his brother Kelly Cushman, four sisters, Vicki, Kaye, Paula and Claudia; his five grandchildren Mandi, Wynde, Kelli, Scott and Carly and numerous nieces, nephews and cousins.

Family will receive friends from 2 to 3 p.m. with services at 3 p.m. in the Dean Lopez Funeral Home Chapel on Tuesday, Feb. 20. Graveside burial services will follow at the Key West City Cemetery. The family requests in lieu of flowers to please make donations to the Michael J. Fox Foundation for Parkinson's Research at [Michaeljfox.org](http://Michaeljfox.org).

Dean-Lopez Funeral Home is entrusted with all arrangements