

STAFF REPORT

DATE: October 8, 2020

RE: Administrative Hearing for 2924 Riviera Drive (TC2020-0030)

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

On February 26, 2020, an application was received to remove some trees on the property. A subsequent inspection documented that (2) Sea Grape trees were removed from the rear of the property. Verbal information collected indicated the property owner removed the trees.

The caliper of the trunks were 21.9" and 13.6".



Missing Sea Grape trees

Photo dated 2018







Karen DeMaria

From: Karen DeMaria
Sent: Thursday, October 8, 2020 2:21 PM
To: Karen DeMaria
Subject: FW: 2924 Riviera Sea Grape Damages

From: cynthia domenech-coogle <cynthiasbluepalms@gmail.com>
Sent: Wednesday, July 1, 2020 1:44 PM
To: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>
Cc: Paul Mead <paulmead5857@yahoo.com>
Subject: Re: 2924 Riviera Sea Grape Damages

Okay thank you!
Have a great day!

Cynthia

Cynthia's Blue Palms, LLC
ISA Certified Arborist FL #0277
305/747-2142

Sent from my iPad

On Jul 1, 2020, at 12:34 PM, Karen DeMaria <kdemaria@cityofkeywest-fl.gov> wrote:

Received, thank you. I will attach this to the file.

Please note that City management has cancelled the July 14 Tree Commission meeting due to the closure of the City Chambers again due to Covid-19 concerns. Only primary essential Zoom meetings will be held in July (City Commission, Planning, and HARC). Hopefully we will have a Tree Commission meeting August 11.

Sincerely,

Karen

From: cynthia domenech-coogle <cynthiasbluepalms@gmail.com>
Sent: Wednesday, July 1, 2020 10:29 AM
To: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>; Paul Mead <paulmead5857@yahoo.com>
Subject: 2924 Riviera Sea Grape Damages

Good morning Karen,

Attached please find photos of the damage directly caused by the Sea Grapes that were planted immediately adjacent to the outside wall at the rear of the house by the previous owner. Over time the limbs penetrated the fascia lifting the metal roof shingles along the entire rear portion of the house causing water intrusion that migrated literally 3' -4' into the rear rooms. The limbs also broke out one of the windows requiring replacement. The rear yard was impenetrable which was the reason for the removals. Mr. Mead was not aware of the FL State Tree Bill nor a permit requirement from the city to remove trees that were damaging his house.

Karen DeMaria

From: cynthia domenech-coogle <cynthiasbluepalms@gmail.com>
Sent: Wednesday, July 1, 2020 10:29 AM
To: Karen DeMaria; Paul Mead
Subject: 2924 Riviera Sea Grape Damages

Good morning Karen,

Attached please find photos of the damage directly caused by the Sea Grapes that were planted immediately adjacent to the outside wall at the rear of the house by the previous owner. Over time the limbs penetrated the fascia lifting the metal roof shingles along the entire rear portion of the house causing water intrusion that migrated literally 3' -4' into the rear rooms. The limbs also broke out one of the windows requiring replacement. The rear yard was impenetrable which was the reason for the removals. Mr. Mead was not aware of the FL State Tree Bill nor a permit requirement from the city to remove trees that were damaging his house.

I hope these photos and short explanation will help Mr. Mead's case at the upcoming Compliance Settlement Agreement hearing.



















Cynthia

Cynthia's Blue Palms, LLC
ISA Certified Arborist FL #0277
305/747-2142

Sent from my iPad

Additional Information

Karen DeMaria

From: cynthia domenech-coogle <cynthiasbluepalms@gmail.com>
Sent: Tuesday, June 23, 2020 3:11 PM
To: Karen DeMaria
Subject: 2924 Riviera Dr. Paul Mead 2 Gumbo Limbo and Strangler Ficus

Hi Karen,

I will be writing the letter for Mr. Paul Mead concerning the 2 Gumbo Limbos and Strangler Ficus under the Florida House Bill No. 1159, 163.045 Tree pruning, trimming, or removal on residential property for removal of such. Will you need an authorization letter to remove his application from the Tree Commission meeting agenda? I will forward a copy of the letter to you for your files.

Mr. Mead has also requested that I represent him at his Compliance Settlement Agreement Hearing. Will you need an authorization letter notarized if he is also in attendance at the meeting or only if not? Can you send copies of information you currently have in the files as well, please? I have photos of the damage caused by the Seagrapes; do you want those?

Thank you Karen,
Cynthia

Cynthia's Blue Palms, LLC

ISA Certified Arborist FL #0277

305/747-2142

Karen DeMaria

From: Paul Mead <paulmead5857@yahoo.com>
Sent: Tuesday, June 23, 2020 5:08 PM
To: Karen DeMaria
Subject: Re: Tree Commission meeting regarding 2924 Riviera Drive

As you requested , please remove the 3 trees from the agenda , thanks PM

Sent from my iPhone

On Jun 8, 2020, at 12:45 PM, Karen DeMaria <kdemaria@cityofkeywest-fl.gov> wrote:

Paul:

With this email I am updating you on the status of your tree removal application and the administrative hearing regarding the unauthorized removal of the sea grape trees in the back of the house. Management cancelled the June 8, 2020 Tree Commission meeting as any meetings that are being held this month are being done so virtually. They have decided to open the Commission Chambers for meetings starting July 1 therefore, the July 14 Tree Commission will be held in the Commission Chambers. Your files will be placed on the July 14 Tree Commission agenda.

If you have any additional information you would like to have placed in the files please submit it to my office by July 1, 2020.

Sincerely,

Karen

Karen DeMaria
Urban Forestry Manager
Certified Arborist FL# 6585A
City of Key West Planning Department
1300 White Street, Key West, FL 33040
305-809-3768

<image001.jpg>

Karen DeMaria

From: Karen DeMaria
Sent: Tuesday, April 14, 2020 11:56 AM
To: Paul Mead
Subject: FW: 2924 riviera

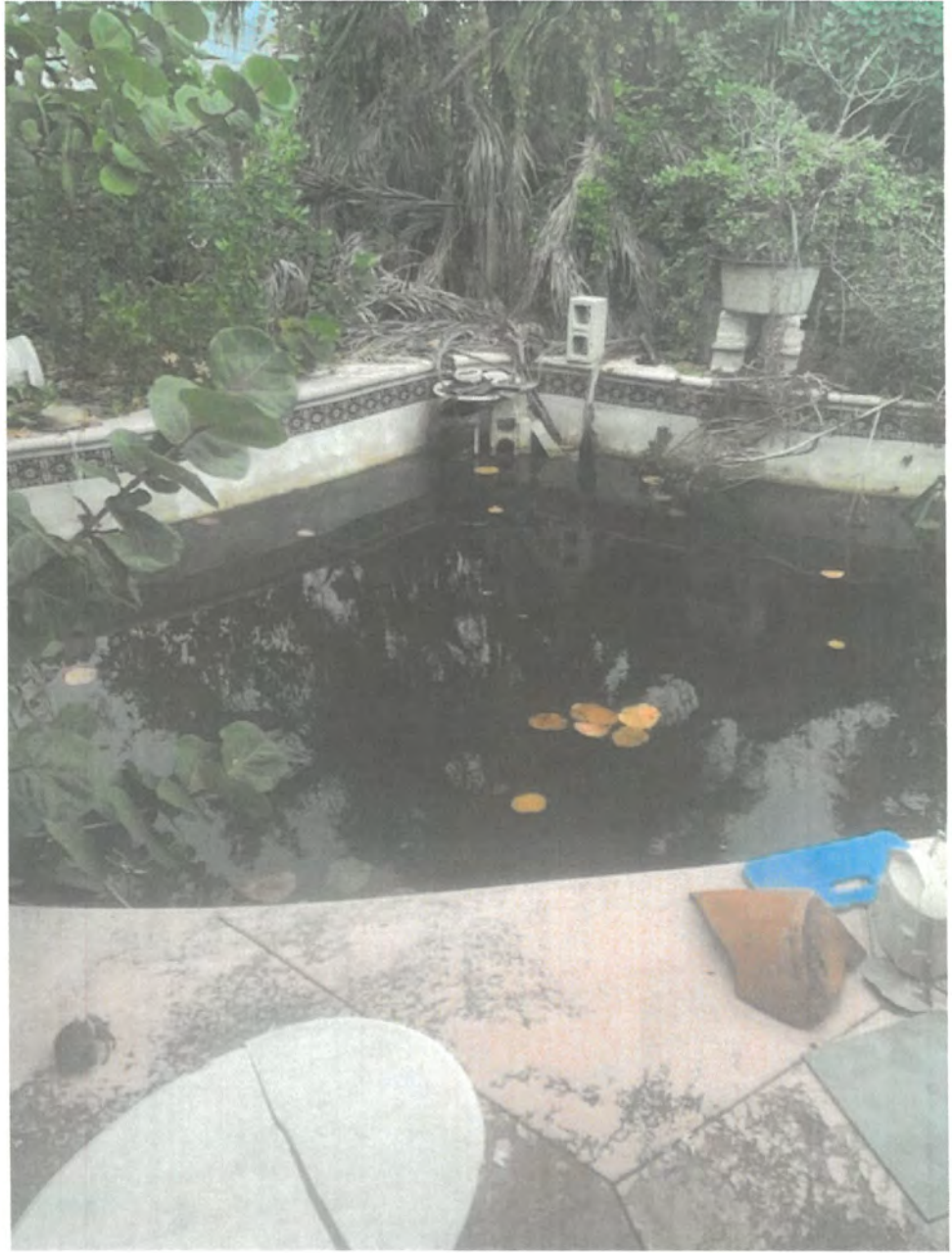
Here is the e-mail you sent me in its entirety. This will be included with your application. Whatever of these photos are missing from my staff report that you want included please label them so I can put them with the proper tree section. The Sea Grape tree related photos will be used in the staff report for the administrative hearing once I write that report.

Sincerely,

Karen

From: Paul Mead <paulmead5857@yahoo.com>
Sent: Thursday, April 9, 2020 8:34 AM
To: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>
Subject: 2924 riviera

Showing some of the physical tree damage from the sea grape , the tree actually cracked the foundation ,

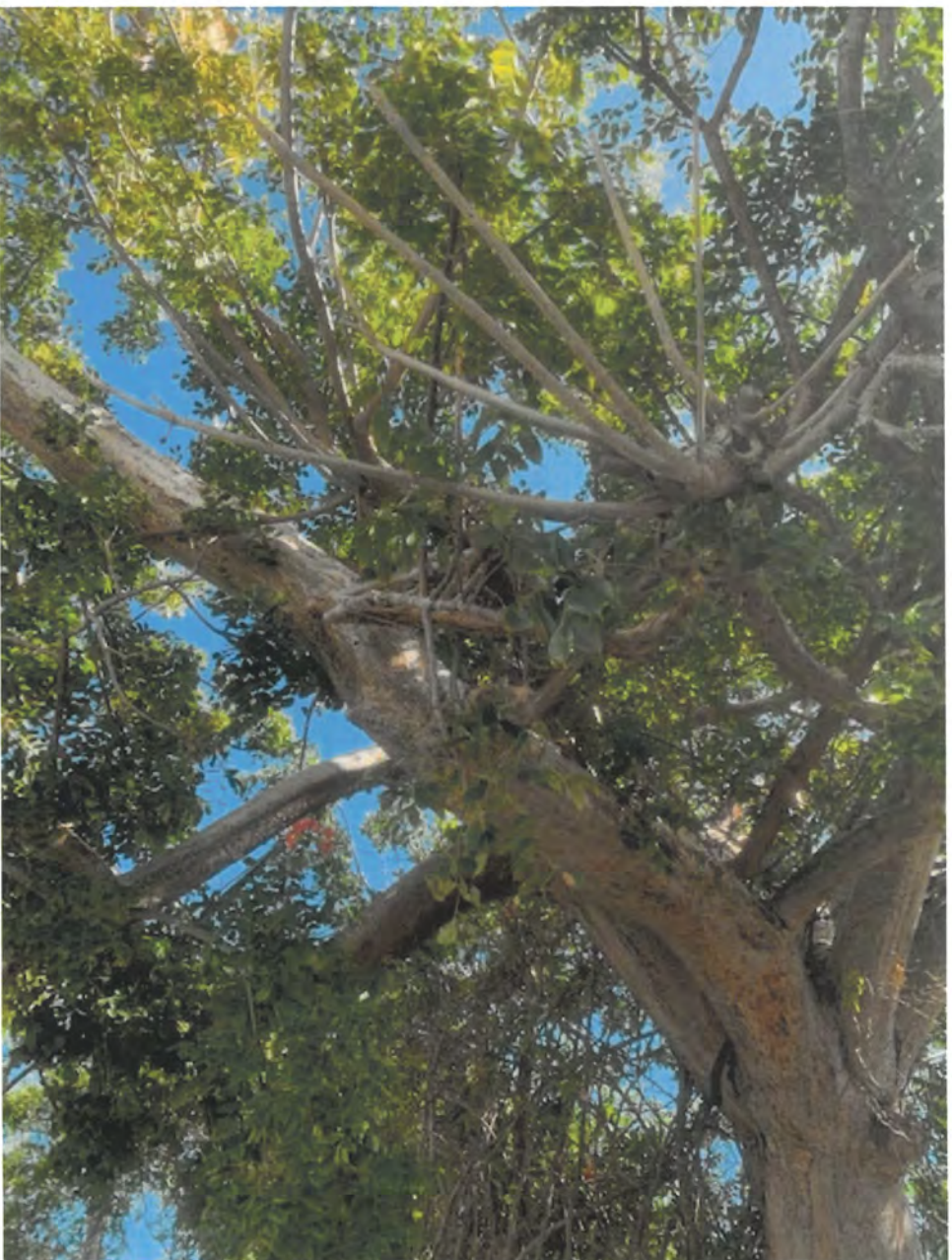






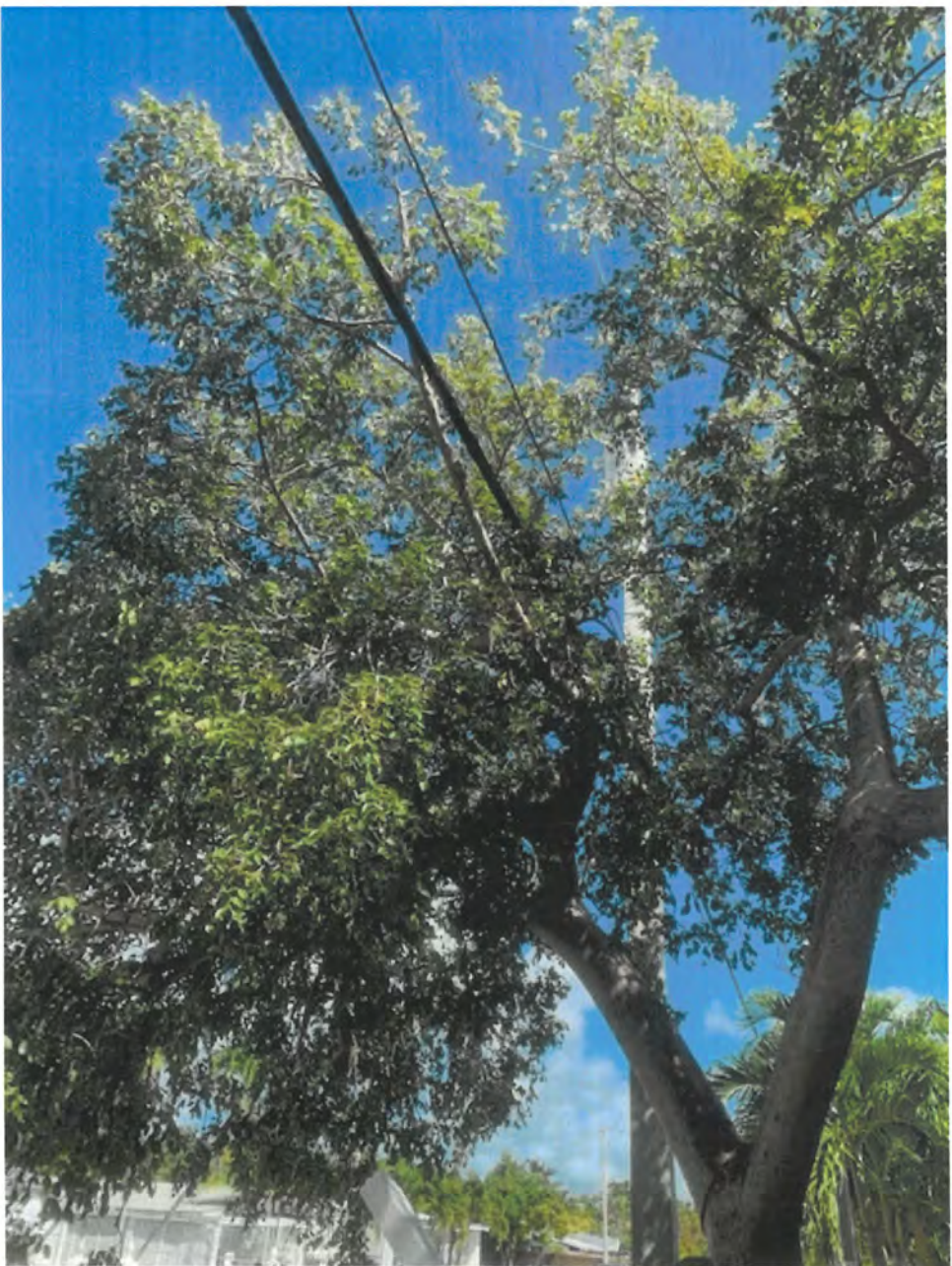


















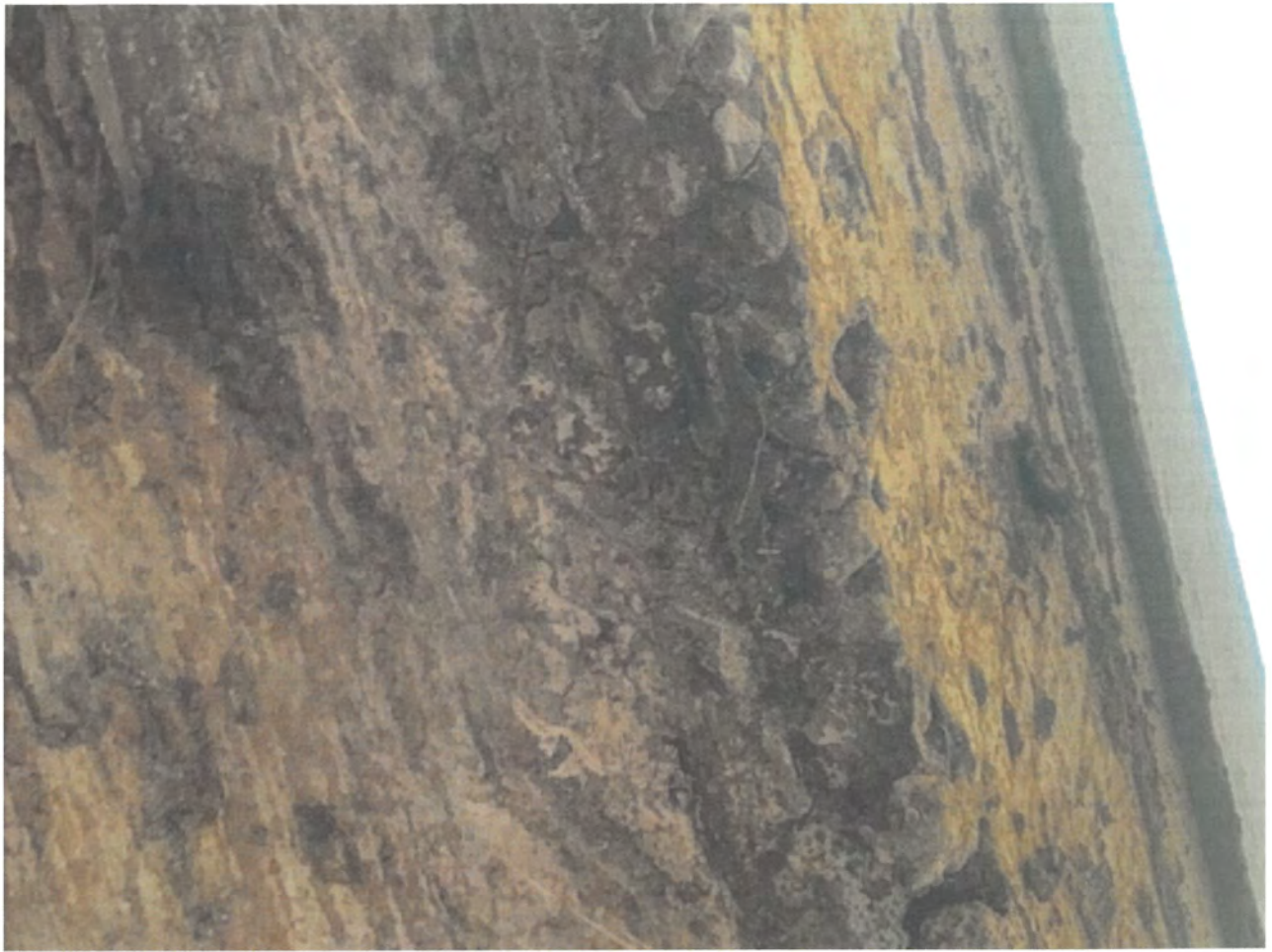






















Sent from my iPhone

Karen DeMaria

From: Karen DeMaria
Sent: Tuesday, April 14, 2020 10:12 AM
To: Paul Mead
Subject: Re: 2724 Riviera Drive Tree removal request report

Paul,

I used every picture I could figure out what tree it related to. If you want to label the pictures that were not used, I will gladly put them in my staff reports. Please note that every email between us will be submitted as part of the overall application package so the commissioners will be able to see everything that was submitted and discussed.

Again, any additional information is welcome. Your two emails do present some very valid information that is very useful to the discussion.

Sincerely,

Karen

Sent from my iPhone

On Apr 13, 2020, at 9:45 PM, Paul Mead <paulmead5857@yahoo.com> wrote:

Dear Karen, i suggest that you show all the pics to the review board including all the physical real damage you did not submit all my pics, including the cracked wall on tree #1 which is actually the neighbors fence ,your comment that there is no damage is incorrect , the roof pics were not in the scope, the cracked foundation and the replaced water line due to entangled roots , the rear yard showed intensive foundation damage ,the broken windows and shutters , along with the roof rot and damage metal roofing . as a professional i think for all intents and purposes that ALL the pics be presented that i sent to you in good faith before any committee attempts to make a fair, balanced and unprejudicial judgement on a property that is devalued do to an invasive and unkept tree population for many plus years , please respond in kind and show all the pics in topic that will be submitted to your group , keep in mind i am trying to improve the property not devalue it, and that in due time i will be replanting to keep the hazards away ,yet maintain an appealing green yard Thanks PM

On Apr 13, 2020, at 3:45 PM, Karen DeMaria <kdemaria@cityofkeywest-fl.gov> wrote:

Paul:

Attached is a copy of my staff report. This is the report that the Tree Commission will review when making their decisions regarding the request to remove the trees. I included the photos you sent me last week into the report. If you have any additional information that might change a review, please send it to me so I can review and amend the report.

Please note that the May 12 Tree Commission meeting has been cancelled. I have been told that we will have the June 8 meeting. This application and the Administrative Hearing regarding the removal of the two Sea Grape trees n the back yard will be

discussed at the June 8 Tree Commission meeting. If you have any questions or concerns feel free to contact me.

Sincerely,

Karen

Sincerely,

Karen DeMaria

Urban Forestry Manager

Certified Arborist FL-6585A

City of Key West

305-809-3768

<2724 Riveria Staff Report.pdf>

Karen DeMaria

From: Paul Mead <paulmead5857@yahoo.com>
Sent: Monday, April 13, 2020 10:03 PM
To: Karen DeMaria
Subject: Re: 2924 riviera

in response to this email ,all this water damage is due to the sea-grapes growing through the soffit and into the house taking out the windows along with cracking the foundation ,you ask where is this damage ?in the rear yard directly involved with the sea grapes let alone the fact that the upper limbs scoured ,as we say in the adjuster business, the roofing to cause extensive water intrusion , ultimately the interior drywall on walls and ceiling and tiles along with destroyed insulation letting in not only termites, but Bees which had to be professionally removed , mud daubers and wasps , those sea grapes were unkept for so long that the damage is undeniable, Trust you present All the pics to your group ,Thanks PM

On Apr 13, 2020, at 1:29 PM, Karen DeMaria <kdemaria@cityofkeywest-fl.gov> wrote:

Paul:

Below are the termite photos you sent me. Where around the house are these photos taken from? Do you know what kind of termites they were? Also, the water damage and the last photo, where were they taken around the house? This information will be very helpful for the Tree Commissioners if they know where these photos were taken (rear roof, rear floor, near sea grape tree, front right root, front left floor, etc).

Sincerely,

Karen

<image001.jpg>

<image002.jpg>

<image003.jpg>

<image004.jpg>

Karen DeMaria

From: Karen DeMaria
Sent: Monday, April 13, 2020 1:30 PM
To: Paul Mead
Subject: RE: 2924 riviera

Paul:

Below are the termite photos you sent me. Where around the house are these photos taken from? Do you know what kind of termites they were? Also, the water damage and the last photo, where were they taken around the house? This information will be very helpful for the Tree Commissioners if they know where these photos were taken (rear roof, rear floor, near sea grape tree, front right root, front left floor, etc).

Sincerely,

Karen

















Sent from my iPhone

Karen DeMaria

From: Karen DeMaria
Sent: Wednesday, April 8, 2020 2:10 PM
To: Paul Mead
Subject: 2924 Riviera Drive Tree Removal Application

Paul:

I wanted to reach out to you regarding the tree removal application you submitted to remove 2-Gumbo limbo and 1-Strangler Fig tree at 2924 Riviera Drive ~~1230 5th Street~~. I have inspected the trees and made notes on their condition.

Due to Convid-19 and stay at home orders, the Tree Commission meeting scheduled for April 14 has been cancelled. Right now we are planning on having a virtual Tree Commission meeting on May 12. Your tree removal request will be placed on the May 12 agenda meeting. If you have concerns and want to discuss removal of the tree sooner, please contact me so we can discuss the issue.

Also, the Administrative Hearing for the unauthorized removal of the 2-Sea Grape trees will hopefully be scheduled for the May 12 meeting. I am waiting to hear from our legal department as to when enforcement cases will be able to be processed virtually. I will be sending you a notice of the meeting once I hear from them. A hearing in front of the Tree Commission is an informal but legal process whose goal is to achieve a Settlement Agreement between the commission and the property owner to resolve the issue. Usually the Tree Commission requires replanting of trees on the property. If you have any photos of the trees prior to removal, please send them to me so they can be made part of the report. I only have a couple of photos of the base of the sea grape "trees"/stumps.

Sincerely,

Karen

Karen DeMaria
Urban Forestry Manager
Certified Arborist FL-6585A
City of Key West
305-809-3768

Karen DeMaria

From: Paul Mead <paulmead5857@yahoo.com>
Sent: Wednesday, February 26, 2020 2:17 PM
To: Karen DeMaria
Subject: Re: 2924 Riviera Drive

Dear Karen

As far as 3536 Duck ave is concerned. You and I and John Cole were standing together when it was discussed and you accepted his approach and said all is good and you would not be doing another site visit . To close it was automatic as we understood ,

I was at the desk a short while ago and your associate said that John's name is on the application and that was all I needed because he is the tree expert , really not sure what else I need to do , and yes those gumbos have already broken the fence and I am an insurance adjuster and do not want to get into 3rd party subrogation issues with my good neighbor about a tree taking out his fence and autos , as that corner tree has already started to push it away also , the roots of the larger tree are encompassing both supply and waste water , and along with the fact that the cable and power lines are in the middle of them ,

Thank you PM

[Sent from Yahoo Mail for iPhone](#)

On Wednesday, February 26, 2020, 1:53 PM, Karen DeMaria <kdemaria@cityofkeywest-fl.gov> wrote:

Paul:

The application you filled out for 2924 Riviera Drive is incomplete. What is your contact information (address, phone number)? I need to make sure what is on the file is the most accurate and up to date information for you. Also, we will need a signed letter of representation form in order for John Cole to be involved with the application. I have attached this form.

It appears you are requesting the removal of 3 trees from the property. Looking at Google Earth it appears that at least 2 of the trees are gumbo limbo trees. These are protected trees and their removal will have to go to the Tree Commission for review. We are currently accepting applications for the April 14 meeting. Someone will have to attend the meeting to represent the trees and the property. It would be helpful if you have any documentation such as repair bills for sewer or water leaks to attach to the file. Can the trees be properly trimmed to avoid impacts? Fences can be built to avoid impacting trees, have you looked at other construction designs? Are they cost effective?. Also, a letter from the neighbors regarding the damage and their concerns would be helpful.

I also have a letter in my box regarding 3536 Duck Avenue but no information is attached. Have you completed the trimming of the mahogany tree? Do you want me to close out that file?

Sincerely,

Karen

Karen DeMaria

Urban Forestry Manager

Certified Arborist FL# 6585A

City of Key West Planning Department

1300 White Street, Key West, FL 33040

305-809-3768

