



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Tree Commission

Tuesday, October 13, 2020

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 (POWER POINT ONLY) FOR AGENDA ITEMS MUST BE RECEIVED IN THE CITY CLERK'S OFFICE (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.

You may attend/participate virtually by telephoning 312-626-6799, Meeting ID 981 9742 8773 Passcode 681750 or online at <https://zoom.us/j/98197428773> Passcode 681750.

Call Meeting To Order - 5:02 P.M.

Roll Call

Absent 1 - Commissioner Cabanas

Present 6 - Commissioner Bravo, Commissioner Cunningham, Commissioner McRAE, Commissioner Stotts, Chairman Jackson, and Commissioner Pope

Pledge of Allegiance to the Flag

Approval of Agenda - The Agenda was unanimously approved as changed to include the postponement of Item 11 to November 10, 2020.

Approval of Minutes

1 September 15, 2020

Attachments: [Minutes](#)

A motion was made by Commissioner Bravo, seconded by Commissioner McRAE, that the Minutes be Approved. The motion passed by unanimous vote.

Old Business

- 2 1230 5th Street/T2020-0058/Todd Winship
Represented by: Kenneth King
Requesting approval to remove (1) Sea Grape tree.

Attachments: [Staff Report and Application](#)
 [Updated Report-Photos](#)

A motion was made by Commissioner Bravo, seconded by Commissioner McRAE, in accordance with Sec. 110-327 to approve the removal of one (1) Sea Grape Tree at 1230 5th Street to be replaced with 30 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by unanimous vote.

- 3 WITHDRAWN BY APPLICANT
2718 Seidenberg Avenue/T2020-0090/Joel Dos Santos
Represented by: John Cole-Shade Tree Inc
Requesting approval to remove (2) Sea Grape trees.

Withdrawn

- 4 WITHDRAWN BY APPLICANT
708 William Street/T2020-0259/David Zolotow
Requesting approval to remove (1) Wild Tamarind tree.

Withdrawn

New Business

- 5 818 Elizabeth Street/T2020-0275/Allen's Apartments
Represented by: Kenneth King
Requesting approval to remove (1) Avocado tree.

Attachments: [Staff Report and Application](#)

A motion was made by Commissioner Bravo, seconded by Commissioner McRAE, to approve removal of one (1) Avocado Tree at 818 Elizabeth Street. The motion failed with a tied vote:

Absent: 1 - Commissioner Cabanas

No: 3 - Commissioners Cunningham, Pope and Stotts

Yes: 3 - Commissioners Bravo, McRAE and Chairman Jackson

A motion was made by Commissioner Bravo, seconded by Commissioner Cunningham, that the Item be Postponed to November 10, 2020. The motion passed by unanimous vote.

- 6 2214 Seidenberg Avenue/T2020-0280/Kenneth King
Requesting approval to remove (5) Sea Grape trees.

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

A motion was made by Commissioner Bravo, seconded by Commissioner Cunningham, in accordance with Sec. 110-327, to approve the removal of five (5) Sea Grape Trees, at 2214 Seidenberg Avenue, to be replaced with 43 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by unanimous vote.

- 7 714 Passover Lane/T2020-0287/Skull & Crosbones LLC
Represented by: Kenneth King
Requesting approval to remove (1) Silver Buttonwood, (1) Mahogany, (1) Mango, (1) Frangipani, and (1) Sapodilla tree.

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

A motion was made by Vice Chair Pope, seconded by Commissioner Bravo, in accordance with Sec.110-327, to approve the removal of one (1) Silver Buttonwood, one (1) Mahogany, one (1) Mango, one (1) Frangipani and one (1) Sapodilla tree at 714 Passover Lane to be replaced with 54.5 caliper inches of dicot or fruit trees from the approved list, FL#1, stipulating that two (2) Sapodilla trees are to be planted on site. The motion passed by unanimous vote.

- 8 727 Fort Street/TP2020-0007/City of Key West
Represented by: Steve McAlearney
Requesting Final Landscape plan approval for a major development plan to remodel an existing building into a health clinic.

Attachments: [Report and Landscape Plan](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Cunningham, to approve the final Landscape Plan to remodel an existing building into a health clinic at 727 Fort Street. The motion passed by unanimous vote.

Administrative Hearings

- 9 515 Bahama Street/TC2020-00029/Charles Means
Respondents: Charles Means and Theodore Bignaux
A mango tree has had its canopy completely removed
without benefit of a tree removal or heavy trimming permit.

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

A motion was made by Vice Chair Pope, seconded by Commissioner Bravo, in accordance with Sec. 110-291, that the City of Key West enter into a compliance settlement agreement with the respondents, Charles Means and Theodore Bignaux, for removal of the canopy of a Mango Tree without benefit of a Heavy Trimming Permit at 515 Bahama Street and imposing a fine of \$250.00 with the stipulation that after one (1) year the tree is to be found alive and in good condition. The motion passed by unanimous vote.

- 10 2924 Riviera Drive/TC2020-000030/Paul Mead
Respondent: Paul Mead
Removal of (2) Sea Grape trees without benefit of a tree removal permit.

Attachments: [Administrative Notice](#)
 [\(LARGE FILE\) Staff Report and Additional Information](#)

A motion was made by Commissioner Stotts, seconded by Vice Chair Pope, in accordance with Sec. 110-291, that the City of Key West enter into a compliance settlement agreement with the respondent, Paul Mead for removal of two (2) Sea Grape Trees without benefit of a Tree Removal Permit and to provide replacement of 40 caliper inches of approved dicot or fruit trees, FL#1, from approved list, to be planted onsite and that these replacements survive a year. The motion passed by unanimous vote.

- 11 3402 Eagle Avenue/TC2020-00031/RCJB Properties
Respondent: RCJB Properties-Richard Barthelemy
Removal of (1) Royal Poinciana and (1) Silver Buttonwood
without benefit of a tree removal permit and excavation in
the primary root zone of a Gumbo Limbo tree clump for the
placement of pool equipment causing damage to the
protected trees located in the City right of way.

Attachments: [Administrative Notice](#)
 [Report and Information](#)

Postponed to November 10, 2020

- 12 733 Poorhouse Lane/TC2020-00033/Poorhouse Properties
Respondent: Mark Harris-Diggin Key West
Removal of (1) Bottlebrush tree without benefit of a tree removal permit.

Attachments: [Administrative Notice](#)
 [Staff Report and Information](#)

A motion was made by Vice Chair Pope, seconded by Commissioner Bravo, in accordance with Sec. 110-291, that the City of Key West enter into a compliance settlement agreement with the respondent, Mark Harris-Diggin Key West, for removal of one (1) Bottlebrush Tree without benefit of a Tree Removal Permit and to require replacement with 10 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by unanimous vote.

- 13 1909 Venetia Street/TC2020-00032/Marty's Place Associates
Respondent: Marino Construction Group
Two (2) Gumbo Limbo trees were irreparably damaged during demolition and construction of the site.

Attachments: [Administrative Notice](#)
 [Additional Information](#)
 [Staff Report](#)

A motion was made by Vice Chair Pope, seconded by Commissioner Bravo, in accordance with Sec. 110-291, that the City of Key West enter into a compliance settlement agreement with the Respondent, Marino Construction Group, a fine of \$750.00 for the irreparable damage of two (2) Gumbo Limbo trees and accepting that replacement trees had been planted on site as required by the transplant permit. The motion passed by unanimous vote.

Urban Forestry Manager's Report

- 14 Urban Forestry Manager's Report

Attachments: [August 2020 Monthly Report](#)
 [September 2020 Monthly Report](#)

Received and Filed

Assistant City Attorney's Report - There was no report from the Assistant City Attorney.

Public Comments

Commissioner Comments

Adjournment - 7:05 P.M.