



**THE CITY OF KEY WEST  
Tree Commission**

Post Office Box 1409 Key West, FL 33041-1409  
Telephone: 305-809-3725

**NOTICE OF ADMINISTRATIVE HEARING  
BEFORE THE TREE COMMISSION OF THE CITY OF KEY WEST**

October 28, 2020

Tree Commission  
City of Key West  
Petitioner,  
Vs.

Charles & Carmela Wicht  
1301 1<sup>st</sup> Street  
Key West, F 33040

An administrative hearing before the Tree Commission for the City of Key West will be held on **Tuesday, May 11, 2021**, at 5:00 p.m., at **Josephine Parker City Hall at Historic Glynn R. Archer School, 1300 White Street, Key West, Florida.**

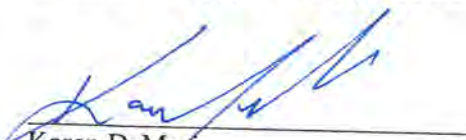
As discussed at the April 12, 2021 Tree Commission meeting, the administrative hearing will review file TC2021-0001, removal of (4) Gumbo Limbos and (1) Pigeon Plum tree without benefit of a tree removal permit from the front yard of 1301 1<sup>st</sup> Street and will discuss compliance to the signed Settlement Agreement, file TC2020-0014, regarding the improper trimming of (1) Gumbo Limbo, (1) Strangler Fig, and (1) Green Buttonwood in the rear of the property (1301 1<sup>st</sup> Street). The Settlement Agreement also involved the issuance of a tree removal permit, T2018-0160. This hearing will be conducted pursuant to sections 110-288 et. seq. of the Key West City Code. **Your presence is required at this Tree Commission meeting.**

If the Tree Commission for the City of Key West finds that there has been a violation of the above code section, it will elect to enter into a compliance settlement agreement pursuant to section 110-291 of the Key West City Code or recommend a fine and further hearing before the Special Master of the City of Key West pursuant to section 110-294 of the Key West City Code.

Attendees are hereby notified that a complete and accurate record of the proceeding is required under Florida Statute 286.0105 if an appeal is sought. Appellants are responsible for providing transcription services.

I hereby certify that the forgoing notice has been mailed to the Respondents and has been sent via e-mail, regular mail, and certified U.S. Mail to the above named Respondent's listed address on this **28th day of April 2021.**

If you have any questions, please call the office at (305) 809-3768.

  
Karen DeMaria  
Urban Forestry Manager  
[kdemaria@cityofkeywest-fl.gov](mailto:kdemaria@cityofkeywest-fl.gov)

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



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Tree Commission**

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Telephone: 305-809-3725

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**NOTICE OF ADMINISTRATIVE HEARING  
BEFORE THE TREE COMMISSION OF THE CITY OF KEY WEST**

March 18, 2021

Tree Commission  
City of Key West  
Petitioner,

Vs.

Charles and Carmela Wicht  
1301 1<sup>st</sup> Street  
Key West, FL 33040

An administrative hearing before the Tree Commission for the City of Key West will be held on **Tuesday, April 13, 2021**, at 5:00 p.m., at **Josephine Parker City Hall at Historic Glynn R. Archer School, 1300 White Street, Key West, Florida.**

This hearing will be conducted pursuant to sections 110-288 et. seq. of the Key West City Code. The purpose of this hearing will be to determine if a code violation has been committed by the above named Respondent. **Your presence is required at this Tree Commission meeting.**

**Date of alleged violation: prior to November 10,, 2020 at 1301 1<sup>st</sup> Street, Key West, FL:**

**Sec. 110-321. Required.**

- (a) Unless a tree removal permit approved by the tree commission and issued by the Urban Forestry Manager has been obtained, no person, whether on publicly or privately owned land, shall cause tree abuse or other harm, or major maintenance to, hatracking, transplanting, topping or removal of the following:
  - (1) Any tree listed as "specially protected" in section 110-253;

**Factual allegation: Four (4) Gumbo Limbo and One (1) Pigeon Plum tree have been removed without benefit of a tree removal permit.**





If the Tree Commission for the City of Key West finds that there has been a violation of the above code section, it will elect to enter into a compliance settlement agreement pursuant to section 110-291 of the Key West City Code or recommend a fine and further hearing before the Special Master of the City of Key West pursuant to section 110-294 of the Key West City Code.

Attendees are hereby notified that a complete and accurate record of the proceeding is required under Florida Statute 286.0105 if an appeal is sought. Appellants are responsible for providing transcription services.

I hereby certify that the forgoing notice has been mailed to the Respondents and has been sent via e-mail, regular mail, and certified U.S. Mail to the above named Respondent's listed address on this **18th day of March 2021.**

If you have any questions, please call the office at (305) 809-3768.

Karen DeMaria  
Urban Forestry Manager  
[kdemaria@cityofkeywest-fl.gov](mailto:kdemaria@cityofkeywest-fl.gov)

# STAFF REPORT

DATE: April 8, 2021

RE: Administrative Hearing for 1301 1<sup>st</sup> Street (TC2021-0001)

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

On November 10, 2020, while driving to a site visit in the area, it was noticed that all the trees that used to reside in the front of the property had been removed and palms planted. An email was sent to the property owner, no reply was received. On February 8, 2021 a warning letter was sent to the property owner regarding the removal of the trees, (4) Gumbo Limbo and (1) Pigeon Plum. No direct response was received.

In August 2018, the trees growing on the property were documented at the request of a potential buyer and notes saved to a file. In October 2018, an enforcement case was initiated on the property for the improper trimming of trees in the back yard with the current property owner, Charles Wicht. A Settlement Agreement was agreed to that allowed for the removal of the trees in the rear yard and required the property be replanted with 65.1 caliper inches of approved trees. The new palms planted in the front yard are not on the approved tree list and would not be accepted toward the planting requirement.

Based on 2018 Google Street photos, the Gumbo Limbo trees that were removed were approximately 3 - 4 inch diameter and the pigeon plum was approximately 3 inch diameter.



THE CITY OF KEY WEST  
Tree Commission  
P.O. BOX 1409  
Key West, FL 33041-1409

February 8, 2021

Charles and Carmela Wicht  
1310 1<sup>st</sup> Street  
Key West, FL 33040

Dear Mr. and Mrs. Wicht:

It has come to my attention that a permit was not issued for the recent removal of several protected trees in the front of the property at 1301 1<sup>st</sup> Street, Key West, FL. This removal violates standards set forth in Section 110-Tree Ordinance of the City of Key Code of Ordinances.

**Sec. 110-321. Required.**

(a) Unless a tree removal permit approved by the Tree Commission and issued by the Urban Forestry Manager has been obtained, no person, whether on publicly or privately owned land, shall cause tree abuse or other harm, or major maintenance to, hatracking, transplanting, topping or removal of the following:

(1) Any tree listed as "specially protected" in section 110-253;

On July 1, 2019, a new State Law regarding tree removal and trimming went into effect (HB1159/FS163-045). This law states that a tree can be removed from residential property, as long as the homeowner obtains documentation from an ISA certified arborist or FL Licensed landscape architect that the tree presents a danger to persons or property. If the trees were removed as per this State law, please provide the required documentation to my office for inclusion in the property file. Failure to provide the documentation may result in the initiation of an Administrative Hearing in front of the Tree Commission as per Sec 110-321 (b).

I also noticed that non native palms were planted where the recent protected trees had been removed. Please note that an existing legal Settlement Agreement you signed in January 2019 (copy attached) and the issued tree removal permit require the planting of 65.1 caliper inches of approved dicot trees and the payment of a \$500 fine. The palms that were planted are not on the approved tree or palm list and therefore, are not accepted toward the required plantings. Therefore, neither condition of the Settlement Agreement has been met and you are currently in non compliance to the agreement and permit. Please contact my office by February 24, 2021 to discuss this issue. Failure to respond may result in the enforcement and permit file being forwarded to the Code Compliance special magistrate for compliance.

Sincerely,

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

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



## Karen DeMaria

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**From:** Karen DeMaria  
**Sent:** Monday, November 30, 2020 4:44 PM  
**To:** Melina Wicht  
**Subject:** 1301 1st Street Settlement Agreement and new tree removal

Melina and Charles:

I want to remind you that there is an outstanding Settlement Agreement on this property, 1301 1<sup>st</sup> Street. The agreement requires the planting of 65.1 caliper inches of approved dicot trees on the property and is directly linked to the issuance of the tree removal permit, T2018-0160. The Settlement Agreement required that this work be done within 6 months of the signed agreement. I knew the property was under construction so I didn't press the issue but I recently went by the property and noticed that several protected and regulated trees in the front yard had been removed and replaced with palm trees. Obviously, you have done some new landscaping but you did not comply with the legal Settlement Agreement when doing this new landscaping and some of this work is a new violation of the City Tree Ordinance.

Who removed the trees in the front yard without a permit and when can I expect compliance to the signed Settlement Agreement and tree removal permit on the property?

Sincerely,

Karen

Karen DeMaria  
Urban Forestry Manager  
City of Key West  
305-809-3768









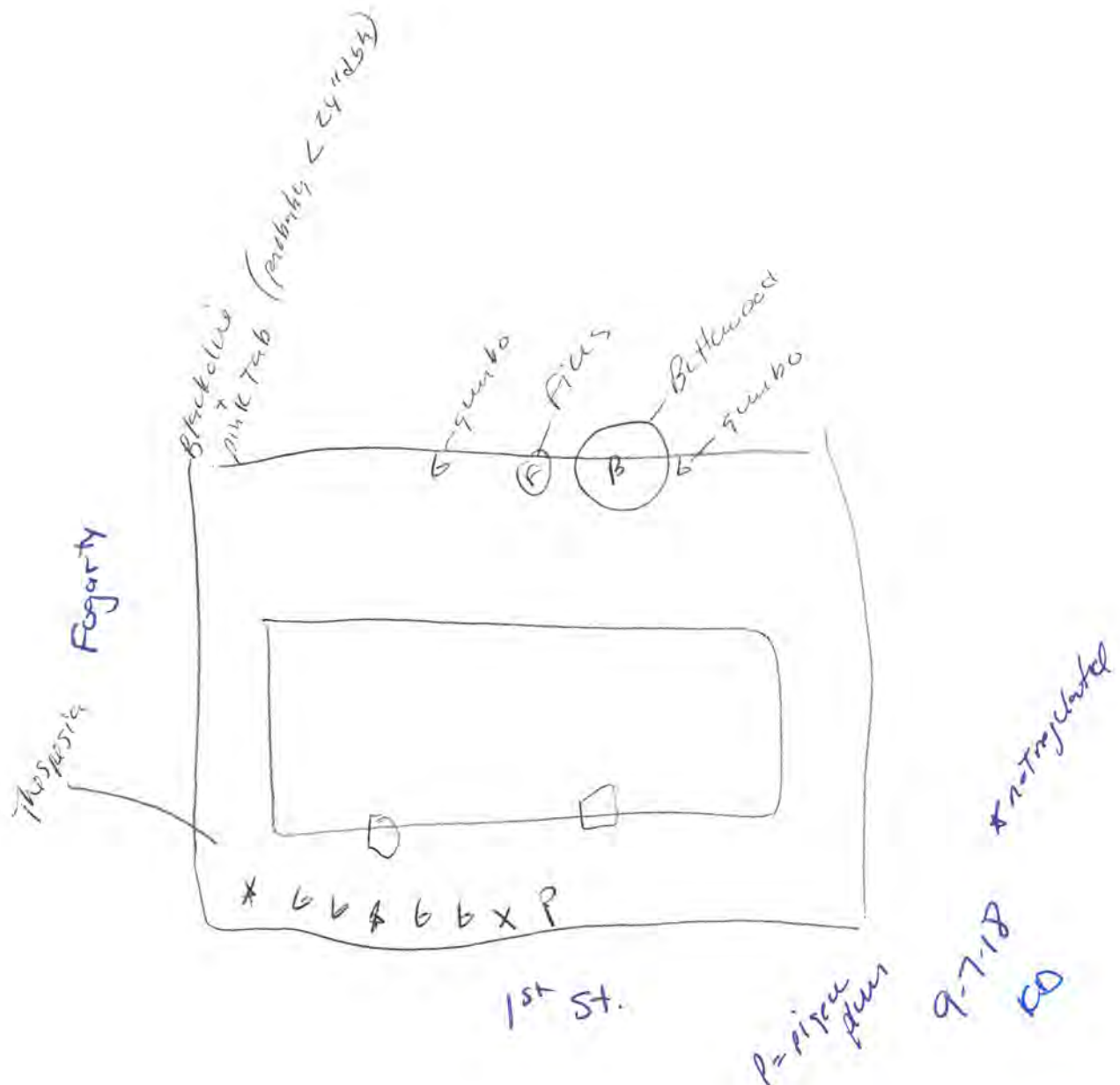
12/19/2018



## Karen DeMaria

**From:** John Jones <sj4access@gmail.com>  
**Sent:** Friday, August 31, 2018 3:20 PM  
**To:** Karen DeMaria  
**Subject:** 1301 1st St.

I'm looking at possibly buying this property I want to see about the trees that are in the back some of the limbs are rotting off and falling down let me know if they can be taken out I'm a real estate investor from Greenville South Carolina Melba Wagner is working with me down here her sign is on the property it is a foreclosure give me a call at 864-787-7606 John Jones PO Box 113, Greenville, SC 29602 or you can email me at Sj4access@aol.com



July 2018







### 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 00049440-000000  
 Account# 1050032  
 Property ID 1050032  
 Millage Group 10KW  
 Location 1301 1ST St, KEY WEST  
 Address  
 Legal KW REALTY COS FIRST SUB PB1-43 LOT 14 SQR 34 TR 21 OR119-132/33 OR592-391  
 Description OR732-504/05 OR758-313/15 OR758-1363 OR766-81 OR1057-1325 OR1816-415/16L/E OR2098-2192/93 OR2887-5/6C/T OR2930-873  
 (Note: Not to be used on legal documents)  
 Neighborhood 6183  
 Property SINGLE FAMILY RESID (0100)  
 Class  
 Subdivision Key West Realty Co's First Sub  
 Sec/Twp/Rng 05/68/25  
 Affordable No  
 Housing



### Owner

WIGHT CHARLES  
 1301 1st St  
 Key West FL 33040

WIGHT CARMELA  
 1301 1st St  
 Key West FL 33040

### Valuation

	2020	2019	2018	2017
+ Market Improvement Value	\$196,974	\$143,448	\$145,589	\$145,589
+ Market Misc Value	\$10,875	\$10,924	\$10,941	\$10,989
+ Market Land Value	\$238,313	\$234,274	\$201,960	\$187,823
= Just Market Value	\$446,162	\$388,646	\$358,490	\$344,401
= Total Assessed Value	\$340,244	\$388,646	\$210,044	\$205,724
- School Exempt Value	(\$25,000)	\$0	(\$25,000)	(\$25,000)
= School Taxable Value	\$315,244	\$388,646	\$185,044	\$180,724

### Land

Land Use	Number of Units	Unit Type	Frontage	Depth
RESIDENTIAL DRY (010D)	5,100.00	Square Foot	51	100

### Buildings

Building ID 3967  
 Style GROUND LEVEL  
 Building Type S.F.R. - R1 / R1  
 Gross Sq Ft 1674  
 Finished Sq Ft 1424  
 Stories 1 Floor  
 Condition GOOD  
 Perimeter 166  
 Functional Obs 0  
 Economic Obs 0  
 Depreciation % 10  
 Interior Walls PLYWOOD PANEL

Exterior Walls C.B.S.  
 Year Built 1958  
 EffectiveYearBuilt 2010  
 Foundation CONCR FTR  
 Roof Type GABLE/HIP  
 Roof Coverage METAL  
 Flooring Type CONC ABOVE GRD  
 Heating Type NONE with 0% NONE  
 Bedrooms 2  
 Full Bathrooms 1  
 Half Bathrooms 0  
 Grade 500  
 Number of Fire Pl 0

Code	Description	Sketch Area	Finished Area	Perimeter
FLE	4 SIDED SECT	174	174	0
CPF	COVERED PARKING FIN	250	0	0
FLA	FLOOR LIV AREA	1,250	1,250	0
TOTAL		1,674	1,424	0

## Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
CONC PATIO	1969	1970	1	288 SF	2
FENCES	1969	1970	1	308 SF	2
LC UTIL BLDG	1969	1970	1	80 SF	1
WALL AIR COND	1983	1984	1	1 UT	1
WALL AIR COND	1988	1989	1	1 UT	2
FENCES	1969	2000	1	1458 SF	5
CONC PATIO	1993	1994	1	240 SF	2

## Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
9/25/2018	\$325,000	Warranty Deed	2189380	2930	873	12 - Unqualified	Improved
1/11/2018	\$100	Certificate of Title	2150795	2887	5	12 - Unqualified	Improved
3/22/2005	\$650,000	Warranty Deed		2098	2192	Q - Qualified	Improved
7/1/1978	\$41,500	Conversion Code		766	81	Q - Qualified	Improved

## Permits

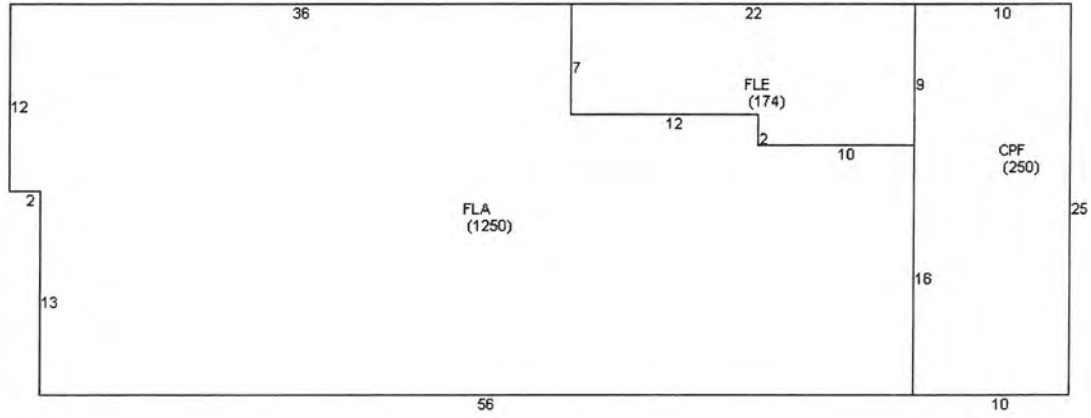
Number	Date Issued	Date Completed	Amount	Permit Type	Notes
19-2474	8/20/2019		\$6,800	Residential	INSTALL 60 LF OF 4' PICKET FENCE WITH ONE GATE. MINOR REPAIR & STUCCO EXISTING FENCE.
19-1646	5/6/2019		\$1,800	Residential	PATCH & REPAIR 750 SF OF STUCCO.
19-0347	1/30/2019		\$36,300	Residential	INSTALL 4 NEW IMPACT DOORS RENOVATE ONE BATHROOM REMOVE & REPLACE EXISTING KITCHEN CABINETS.
19-0348	1/30/2019		\$1,500	Residential	AFTER THE FACT DRYWALL PERMIT.
18-1823	12/31/2018		\$0	Residential	POOL & SPA 9 X 18.
06-0226	1/19/2006	6/1/2006	\$6,500	Residential	REMOVE/REPLACE DRYWALL,3 FRENCH DOORS,8 INTERIOR DOORS,DAMAGED FRAMING
06-0217	1/15/2006	6/1/2006	\$800	Residential	HURRICANE REPAIRS REPLACE ALL ELECTRICAL FIXTURES
05-4812	11/3/2005	12/27/2005	\$1,000	Residential	ADD 2' TO EXISTING FENCE.
05-1026	3/30/2005	12/27/2005	\$100	Residential	REMOVE ROOF - CARPORT
03-0076	1/17/2003	10/31/2003	\$2,000	Residential	UPGRADE ELECTRIC
0102917	8/20/2001	10/31/2001	\$1,200	Residential	3 SQS BUILTUP
9601642	4/1/1996	8/1/1996	\$2,000	Residential	ROOF

## View Tax Info

[View Taxes for this Parcel](#)

## Sketches (click to enlarge)





### Photos



## Map



## TRIM Notice

[2020 TRIM Notice \(PDF\)](#)

## 2020 Notices Only

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

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