



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Tree Commission

Monday, July 9, 2018

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

Roll Call

Absent 3 - Ms. Cabanas, Mr. Mellies II, and Chairman Jackson

Present 4 - Ms. Bravo, Mr. Davis, Ms. Pellicier, and Ms. Sullivan

Pledge of Allegiance to the Flag

Approval of Agenda

A motion was made by Commissioner Denise Bravo, seconded by Commissioner Billy Davis, that the Agenda be Approved. The motion passed by an unanimous vote.

Approval of Minutes

1 June 12, 2018

A motion was made by Commissioner Denise Bravo, seconded by Commissioner Tiffany Pellicier, that the Minutes be Approved. The motion passed by an unanimous vote.

Old Business

- 2 1116 Varela Street/T18-8953/Shawn & Donna Harman
Represented by: Kevin McGinty-Key West Hideaways
Requesting approval to remove (1) Strangler Fig tree
- A motion was made by Commissioner Denise Bravo, seconded by Commissioner Billy Davis, that the Action Item be tabled to the end of the meeting, and then it was postponed indefinitely. The motion passed by an unanimous vote.**

New Business

- 3 3228 Flagler Avenue/T18-9042/Land 10031 LLC; Land 113 LLC; Land 1701 LLC; Land 2421 LLC; Land 2780 LLC; Land 4027 LLC; Land 7009 LLC; Land 8351 LLC; Land 8601 LLC
Represented by: Trepanier & Associates, Inc
Requesting Landscape Plan Approval with Tree Removal to include the removal of (1) young Gumbo Limbo tree for the redevelopment of the site into (8) residential units.
- A motion was made by Commissioner Denise Bravo, seconded by Commissioner Billy Davis, in accordance with Sec.110-327, the approval of the Final Landscape Plan to include the removal of (1) Gumbo Limbo, tree with the replacement of 3.3 caliper inches of approved FL #1 dicot or fruit trees to be planted on site. The motion passed by a unanimous vote.**
- 4 905 Truman Avenue/T18-9060/Sybille Halford
Represented by: Mama's Garden Center
Requesting approval to remove (1) Bahama Tabebuia tree.
- A motion was made by Commissioner Denise Bravo, seconded by Commissioner Billy Davis, in accordance with Sec.110-327, the approval to remove (1) Bahama Tabebuia tree, to include the replacement of 7.2 caliper inches of approved FL #1 dicot or fruit trees to be planted on site. The motion passed by a unanimous vote.**
- 5 1607 Johnson Street/T18-9074/Chris Hoza & Joanie Schlunt
Represented by: Kenneth King
Requesting approval to remove (1) Gumbo Limbo tree.
- A motion was made by Commissioner Denise Bravo, seconded by Commissioner Billy Davis, in accordance with Sec.110-327, the approval to remove (1) Strangler Fig tree, to include the replacement of 19.7 caliper inches of approved FL #1 dicot or fruit trees to be planted on site. The motion passed by a unanimous vote.**

- 6** 1307-1309 Whitehead Street/T18-9075/MMR Properties
Represented by: Kenneth King
Requesting approval to remove (1) Strangler Fig tree.
- A motion was made by Commissioner Denise Bravo, seconded by Commissioner Billy Davis, in accordance with Sec.110-328(1) that the removal of the Strangler Fig Tree be denied due to the species, size, champion tree status, historical importance and/or condition of the tree make it a unique or rare specimen. The motion passed by a unanimous vote.**
- 7** 1400 Block Duval Street/T18-9076/City of Key West
Represented by: Michael Halpern
Requesting Landscape Plan Approval for the creation of a pocket park.
- A motion was made by Commissioner Denise Bravo, seconded by Commissioner Billy Davis, that the Final Landscape Plan be Approved, after being tabled to the end of the meeting and then heard. The motion passed by an unanimous vote.**
- 8** Approval of Ordinance Revision to Section 110-327 of the Code of Ordinances.
- 3 motions were made by Commissioner Denise Bravo, seconded by Commissioner Billy Davis:**
- The first motion requesting an Ordinance revision with Section 110.331, creating a new Section D adjusting the caliper inch ratio to a 4:1 credit, as incentive to plant eight species of protected canopy trees in the City of Key West, including Gumbo Limbo, Royal Poinciana, Strangler Fig, Short Leaf Fig, Sapodilla, Spanish Lime, Jamaican Dogwood and Mahogany trees, in place of the word which currently reads "canopy trees" in the draft ordinance.**
- A second motion, a Resolution to increase the fee for replacement inch in lieu of fees for canopy trees from \$150.00 to \$200.00 per caliper inch.**
- A third motion requesting a new Ordinance in Section 110 - Division 3 Permits, regarding unfulfilled permits being referred to the Special Magistrate.**
- The motions all passed by an unanimous vote.**
- 9** Approval of Tree Purchase
- A motion was made by Commissioner Denise Bravo, seconded by Commissioner Billy Davis, the approval of the purchase of the new trees with Getting Green. The motion passed by an unanimous vote.**

Administrative Hearings

- 10 Mallory Square-Sunset Celebration/City of Key West (owner)
Respondant: Dave Sells
The continual placement of hot, greasy water from a hotdog cart into a planter that caused the death of a protected Lignum vitae tree located in that planter.
- A motion was made by Commissioner Bravo, seconded by Commissioner Davis, in accordance with Sec. 110-291, that the City of Key West enter into a compliance settlement agreement with the respondent's attorney, a fine of \$250.00 for the death of a Lignum Vitae tree due to hot greasy water being poured in the root system. The motion passed by a unanimous vote.**
- Absent:** 3 - Commissioner Cabanas, Commissioner Mellies II, and Chairman Jackson
- Yes:** 4 - Commissioner Bravo, Commissioner Davis, Commissioner Pellicier, and Commissioner Sullivan

Urban Forestry Manager's Report

- 11 Reports

Assistant City Attorney's Report

Public Comment

Adjournment 6:30 PM