



**City of Key West
Tree Commission Meeting
April 14, 2008
510 Greene Street, Old City Hall, 5:00 PM
Minutes**

1. Call Meeting to Order

2. Roll Call

Tree Commissioners:

<u> x </u>	Julio Barroso
<u> x </u>	Danilo Crespo
<u> x </u>	Gregory Curry
<u> x </u>	Mimi McCoy Grantham
<u> x </u>	Sandra Lee – Chairperson
<u> x </u>	Rudy Molinet
<u> - </u>	Neils Weise
	Staff:
<u> x </u>	Larry Erskine Asst. City Attorney
<u> x </u>	Cynthia Domenech-Coogle Urban Forestry Program Manager
<u> x </u>	Gladys Abreda Administrative Secretary

3. Approval of the Agenda

(a) Additions/Changes:

Native Plant Society Annual Conference '08

Trees FL - Annual FL Chapter ISA Conference '08

4. Presentations

(a) Urban Forestry Program Manager Report

Cynthia Domenech-Coogle, said class for trimming and pruning was a success, 33 people attended, 5 of them were ISA Certified Arborist, held at Double Tree. Classroom was donated by the manager at the Double Tree-Grand Key Hotel. Native Plant Society Annual Conf., May-14 thru 18, June is Trees FL-FL Chapter ISA Annual Conf. June 7-10.

5. Approval of Minutes

- (a) May 14, 2007
- (b) September 10, 2007
- (c) October 15, 2007
- (d) January 14, 2008
- (e) February 11, 2008
- (f) March 10, 2008

6. Resolutions Tabled Items:

- (a) **508 Amelia Street, Jackie & Dennis Benner:** Represented by Nick Downs/ Tarzan Tree Service. Remove Spanish Lime.

Approved Denied Table Further Action

Notes: Mr. Robert Delaune, Architect represented the owners Mr. & Ms. Benner.

Application has been discussed since February 2008; they showed proof of certificate of occupancy. Mr. Cunningham, from Planning Department gave him a letter that recognized two buildings and recognition of a preexisting dwelling unit. Ms. Sandra Lee said letter from Mr. Cunningham does not prove that this house is the one that has been there since or before 1990; Ms. Mimi McCoy Grantham agreed with Ms. Lee and that she will not vote until this matter is clarified to remove a healthy tree without knowledge of a legal addition. Mr. Molinet says that he also needs more proof that this a dwelling unit and it was there legally.

Replacements:

7. Resolutions:

- (a) **3230 Duck Avenue. Holly Ann Jirka:** Represented by Glenn Ogden. Remove unknown

Approved Denied Table Further Action

Notes:

Domenech-Coogle stated the unknown tree was a Pink Tabebuia under 2' permit not required.

Replacements:

- (b) **621 Canfield Lane, Andrew M. Riddles:** Maintenance of Horseradish tree

Approved Denied Table Further Action

Notes: Owner out of town with letter of response.

Mr. Barroso motioned to table

Ms. Grantham-McCoy second

- (c) **709 Washington Street, Thomas K. May:** Represented by Lloyd B. Chaisson. Heavy maintenance of Mahogany Tree

Approved Denied Table Further Action

Notes: Ms. Lee discussed improper trimming of tree as violation of ordinances and should forward to next month as an Administrative hearing for tree trimmer.

Mr. Molinet motioned to move case to Administrative hearing for the May meeting; May 12, 2008. Ms. McCoy-Grantham second

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- (d) **709 Washington Street, City of Key West/Thomas K. May, Homeowner:** Remove or transplant (2) Gumbo Limbos on city ROW
(X) Approved () Denied () Table () Further Action
Notes: Trees have been damaged by construction at the site. Owner will remove and replace trees in area.
Replacements: Mr. Molinet motioned to remove with 40.6 inches replacement, native canopy trees, FL #1, on city ROW. Mr. Barroso second Permit #5150
- (e) **1514 VonPhister Street, Susan Mesker:** Represented by Larrie Busloff from Leaping Lizard Tree Service. Remove (1) Mahogany tree.
(X) Approved () Denied () Table () Further Action
Notes: Mr. Molinet motioned to table until next month due to inaccessibility to tree.
Mr. Barroso second. Motioned failed due to lack of majority.
Replacements: Ms. McCoy-Grantham motioned to approve with 24.3 inches of native canopy tree replacement, FL#1, on various sites owned by Susan Mesker.
Mr. Curry second.
Mr. Molinet abstained, Mr. Barroso voted no to motion. Permit # 5151
- (f) **419 Amelia Street, Robert Marrero:** Represented by Dan's Tropical Tree Service. Remove (1) Spanish Lime.
(X) Approved () Denied () Table () Further Action
Notes: tree shared ownership with neighbor, had neighbors authorization to remove.
Replacements: Mr. Curry motioned to remove with 18 inches of native canopy, FL#1, to be planted on site. Mr. Crespo second. Permit # 5152
- (g) **1017 Southard Street, Stephen Hendrickson:** Represented by Deb McNamara, Key West Property Management. Remove Gumbo Limbo.
() Approved () Denied () Table () Further Action
Notes: Owner Hendrickson requested application to be pulled from agenda.
Replacements: No action
- (h) **1231 South Street, Megan and Michael Behmke:** Represented by Bender and Associates Architects. Remove Gumbo Limbo.
(X) Approved () Denied () Table () Further Action
Notes: Representative described damage to home from roots of Gumbo Limbo.
Replacements: Mr. Curry motioned to remove with 11 replacement inches of native canopy trees, FL#1, to be planted on site. Mr. Crespo second. Permit # 5153
- (i) **724 Chapman Lane, Jon Williams:** Represented by Dan's Tropical Tree Service. Remove Strangler Fig.
(X) Approved () Denied () Table () Further Action
Notes: Owner representative requested to change request from removal to heavy maintenance. Would like to keep tree.
Ms. McCoy-Grantham motioned to change request from removal to heavy maintenance. Mr. Barroso second. No permit required.

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(j) **2713 Flagler Avenue, Grace Lutheran Church:** Represented by Scott Montgomery.

See Plan Attached.

Approved **Denied** **Table** **Further Action**

Notes:

Replacements: Mr. Molinet motioned to approve as per plan, replacements to be FL#1, native trees and palms, 70% minimum native.

Mr. Barroso second. Permit # 5154

(k) **300 Petronia Street, Jim Marsh:** Represented by Ty Symroski. See Plan Attached

Approved **Denied** **Table** **Further Action**

Notes: Need to show species, counts, sizes and location of trees, to include % of open space and utilities to be described on plans. Show 19” of replacement from Poinciana removal.

Ms. McCoy motioned to table until next meeting.

Mr. Crespo second.

Replacements: no action

(l) **1400 Block Vernon, City of Key West:** Represented by Cynthia Domenech-Coogle. Remove trees and plants as per plan.

Approved **Denied** **Table** **Further Action**

Notes: trees are all in state of disrepair. Trees heavily damaged from '04 and '05 hurricane seasons.

Replacements: Trees will be replaced by mitigation from Casa Marina compliance settlement agreement.

Mr. Barroso motioned to approve removals as per plan.

Mr. Crespo second. Permit # 5155

(m) **N.W. Corner Flagler Ave. and 20th Street, City of Key West:** Represented by Karen Olson/Tammy Briggs. Remove Mahogany tree.

Approved **Denied** **Table** **Further Action**

Notes: trees need to be removed due to installation of ADA sidewalk at corner. Two trees in same planting site sharing root systems. Trees are pushing each other apart.

Replacements: Mr. Barroso motioned to remove with replacements in same area.

Mr. Crespo second. Permit # 5156

8. Administrative Hearing Table:

(a) **1010 Windsor Ln., Radim Havlicek** Tree work with out permits.

Approved **Denied** **Table** **Further Action**

Notes: Packet of information of findings and violations of each tree was submitted by Domenech-Coogle. Radim Havlicek is found in violation of the City of Key West Tree Protection Ordinance and will forward its final decision and case to the code enforcement special master to be heard.

6 Counts of Code Violation to (7) trees on 1010 Windsor Ln. in Key West, Florida.

Three (3) Royal Poinciana trees, *Delonix regia*, one (1) Tamarind tree, *Tamarindus indica*, one (1) Lignum vitae, *Guaiacum sanctum*, one (1) Rubber tree, *Ficus elastica*, one (1) Mahogany tree, *Swietenia mahogoni*

1. As to the Royal Poinciana, *Delonix regia*, measuring 65 inches circumference at breast height and located behind the Historic Wall along Truman Avenue, the Commission found that 24 pruning cuts were made, the tree was over-lifted and lion- tailed, the 3 largest wounds measured

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approximately 8 to 10 and 12 inches (actually 2 branches originating at same point cut past collars to make one large cut, and a limb measuring 12 to 14 inches was removed from west side of trunk. The tree is demonstrating vigorous sprouting, and all cuts have insect damage. Pruning of this Poinciana tree was not trimmed according to 'Best Pruning Practices' by ANSI A-300 standards. Specifically, the Commission found that you are in violation of Sections 110-256(b)(1), (2), (3), (3), (4), and (5) of the Code, which provide as follows:

Tree Abuse.

- (a) *Generally.* Tree abuse is prohibited, and abused trees shall not be counted toward fulfilling landscape requirements. The city may require the abused trees to be replaced.
- (b) *Prohibited acts.* A tree shall be considered abused if one or more of the following actions has taken place:
 - (1) Significant damage has been inflicted upon any part of the tree, including the root system, by machinery, storage of materials, soil compaction, excavation, vehicle accidents, chemical application or change to the natural grade.
 - (2) Damage inflicted to or cutting upon a tree which permits infection or pest infestation.
 - (3) Cutting upon any tree which permanently reduces the function of the tree or causes it to go into shock.
 - (4) Cutting upon a tree, which destroys its natural shape.
 - (5) Hatracking as defined in section 110-252.

In addition, the Commission found that you are in violation of Section 110-321(a) of the Code, which provides as follows:

Permit Required.

- (a) Unless a tree removal permit approved by the tree commission and issued by the chief building official has been obtained, no person, whether on publicly or privately owned land, shall willfully cause harm or major maintenance to or hatracking or removal of the following:
 - (1) Any tree listed as "specially protected" in section 110-253;
 - (2) Any dicot tree which is 3 ½ inches or more in diameter at breast height;
- 2. As to the Royal Poinciana *Delonix regia*, measuring 58 inches circumference at breast height located behind the Historic Wall along Truman Avenue, the Commission found that 12 pruning cuts were made. All cuts were approximately 6" in diameter. The tree was over-lifted and lion's-tailed. All cuts have insect damage. Six pruning cuts were made on the east portion, 5 on the south portion, and 1 on the north portion. Pruning of this Poinciana tree was not performed according to 'Best Pruning Practices' by ANSI A-300 standards.

Specifically, the Commission found that you are in violation of Sections 110-256(b)(1), (2), (3), (3), (4), and (5) of the Code, which provide as follows:

Tree Abuse.

- (c) *Generally.* Tree abuse is prohibited, and abused trees shall not be counted toward fulfilling landscape requirements. The city may require the abused trees to be replaced.
- (d) *Prohibited acts.* A tree shall be considered abused if one or more of the following actions has taken place:
 - (1) Significant damage has been inflicted upon any part of the tree, including the root system, by machinery, storage of materials, soil compaction, excavation, vehicle accidents, chemical application or change to the natural grade.
 - (2) Damage inflicted to or cutting upon a tree which permits infection or pest infestation.

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(3) Cutting upon any tree which permanently reduces the function of the tree or causes it to go into shock.

(4) Cutting upon a tree, which destroys its natural shape.

(5) Hatracking as defined in section 110-252.

In addition, the Commission found that you are in violation of Section 110-321(a) of the Code, which provides as follows:

Permit Required.

(a) Unless a tree removal permit approved by the tree commission and issued by the chief building official has been obtained, no person, whether on publicly or privately owned land, shall willfully cause harm or major maintenance to or hatracking or removal of the following:

(3) Any tree listed as “specially protected” in section 110-253;

(4) Any dicot tree which is 3 ½ inches or more in diameter at breast height;

3. As to the Royal Poinciana, Delonix regia , measuring 144 inches circumference at breast height located behind the Historic Wall along Truman Avenue, the Commission found that 32 pruning cuts were made on this Poinciana tree. The tree was over-lifted and lion’s-tailed. All cuts have insect damage. There were 11 pruning cuts on the south portion. One cut on southernmost stem is approximately 18 inches in diameter, and has developed cracks that are separating. There were 13 pruning cuts on the west portion, the largest being approximately 12 inches, which is cracking, and has insect damage, and (1) branch was left stub cut approximately 6 inches. There were 8 pruning cuts on the north portion, the largest being approximately 12 inches with decaying fungus growth where 2 branch unions were severed to form one large cut. The tree is vigorously sprouting at some pruning sites. Pruning of this Poinciana tree was not performed according to ‘Best Pruning Practices’ by ANSI A-300 standards.

Specifically, the Commission found that you are in violation of Sections 110-256(b)(1), (2), (3), (3), (4), and (5) of the Code, which provide as follows:

Tree Abuse.

(e) *Generally.* Tree abuse is prohibited, and abused trees shall not be counted toward fulfilling landscape requirements. The city may require the abused trees to be replaced.

(f) *Prohibited acts.* A tree shall be considered abused if one or more of the following actions has taken place:

(1) Significant damage has been inflicted upon any part of the tree, including the root system, by machinery, storage of materials, soil compaction, excavation, vehicle accidents, chemical application or change to the natural grade.

(2) Damage inflicted to or cutting upon a tree which permits infection or pest infestation.

(3) Cutting upon any tree which permanently reduces the function of the tree or causes it to go into shock.

(4) Cutting upon a tree, which destroys its natural shape.

(5) Hatracking as defined in section 110-252.

In addition, the Commission found that you are in violation of Section 110-321(a) of the Code, which provides as follows:

Permit Required.

(a) Unless a tree removal permit approved by the tree commission and issued by the chief building official has been obtained, no person, whether on publicly or privately owned land, shall willfully cause harm or major maintenance to or hatracking or removal of the following:

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(5) Any tree listed as “specially protected” in section 110-253;

(6) Any dicot tree which is 3 ½ inches or more in diameter at breast height;

4. As to the Tamarind tree, *Tamarindus indica*, measuring 172 inches circumference at breast height, which tree is further designated by the State of Florida as the largest Tamarind tree and located in front of the school on the Truman Avenue side, the Commission found that 62 pruning cuts were made on this Tamarind tree. The tree was over-lifted and lion’s-tailed. There were 20 cuts on the north portion, the largest being approximately 10 inches to 12 inches. On the east portion, there were 6 cuts, the largest being approximately 6 inches to 8 inches. On the south portion, there were 17 cuts, and on the west portion, there were 19 cuts. The tree is vigorously sprouting from root flare to top of tree at pruning sites and from dormant bud growth. Pruning of this Tamarind tree was not performed according to ‘Best Pruning Practices’ by ANSI A-300 standards.

Specifically, the Commission found that you are in violation of Sections 110-256(b)(1), (2), (3), (3), (4), and (5) of the Code, which provide as follows:

Tree Abuse.

(g) *Generally.* Tree abuse is prohibited, and abused trees shall not be counted toward fulfilling landscape requirements. The city may require the abused trees to be replaced.

(h) *Prohibited acts.* A tree shall be considered abused if one or more of the following actions has taken place:

(1) Significant damage has been inflicted upon any part of the tree, including the root system, by machinery, storage of materials, soil compaction, excavation, vehicle accidents, chemical application or change to the natural grade.

(2) Damage inflicted to or cutting upon a tree which permits infection or pest infestation.

(3) Cutting upon any tree which permanently reduces the function of the tree or causes it to go into shock.

(4) Cutting upon a tree, which destroys its natural shape.

(5) Hatracking as defined in section 110-252.

In addition, the Commission found that you are in violation of Section 110-321(a) of the Code, which provides as follows:

Permit Required.

(a) Unless a tree removal permit approved by the tree commission and issued by the chief building official has been obtained, no person, whether on publicly or privately owned land, shall willfully cause harm or major maintenance to or hatracking or removal of the following:

(7) Any tree listed as “specially protected” in section 110-253;

(8) Any dicot tree which is 3 ½ inches or more in diameter at breast height;

5. As to the Lignum vitae, *Guaiacum sanctum*, measuring 108 inches circumference at breast height, and believed to be the second largest known in Key West, and located next to the auditorium on the Truman Avenue side, the Commission found that 58 pruning cuts were made on this Lignum Vitae tree, which was over-lifted and lion’s-tailed. On the south portion, there were 17 cuts, the largest cut being approximately 3 inches by 4 inches. On the east portion there were 8 cuts, the largest being approximately 7 inches. On the north portion, there were 33 cuts, the largest cuts (3) approximately 3 inches by 2 inches. The tree is vigorously sprouting at pruning sites and from dormant bud growth. Pruning of this Lignum Vitae tree was not performed according to ‘Best Pruning Practices’ by ANSI A-300 standards.

Specifically, the Commission found that you are in violation of Sections 110-256(b)(1), (2), (3), (3), (4), and (5) of the Code, which provide as follows:

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Tree Abuse.

- (i) *Generally.* Tree abuse is prohibited, and abused trees shall not be counted toward fulfilling landscape requirements. The city may require the abused trees to be replaced.
- (j) *Prohibited acts.* A tree shall be considered abused if one or more of the following actions has taken place:
 - (1) Significant damage has been inflicted upon any part of the tree, including the root system, by machinery, storage of materials, soil compaction, excavation, vehicle accidents, chemical application or change to the natural grade.
 - (2) Damage inflicted to or cutting upon a tree which permits infection or pest infestation.
 - (3) Cutting upon any tree which permanently reduces the function of the tree or causes it to go into shock.
 - (4) Cutting upon a tree, which destroys its natural shape.
 - (5) Hatracking as defined in section 110-252.

In addition, the Commission found that you are in violation of Section 110-321(a) of the Code, which provides as follows:

Permit Required.

- (a) Unless a tree removal permit approved by the tree commission and issued by the chief building official has been obtained, no person, whether on publicly or privately owned land, shall willfully cause harm or major maintenance to or hatracking or removal of the following:
 - (9) Any tree listed as “specially protected” in section 110-253;
 - (10) Any dicot tree which is 3 ½ inches or more in diameter at breast height;
6. As to the Rubber tree, *Ficus elastica*, measuring 132 inches circumference at breast height, located next to the auditorium on the Truman Avenue side, the Commission found that 30 pruning cuts were made on this Rubber tree. The tree was over-lifted and lion’s- tailed. On the north portion, there were 14 cuts, lowest and largest cut approximately 12 inches by 8 inches. On the east portion, there were 11 cuts, the largest cut approximately 16 inches by 6 inches. The south portion was removed, approximately 10 inches by 12 inches. On the west portion there were 5 cuts, the largest cut approximately 8 inches by 10 inches. The tree is vigorously sprouting from root flare to top of tree at pruning sites and from dormant bud growth. Many cuts have insect damage. Pruning of this Rubber tree was not performed according to ‘Best Pruning Practices’ by ANSI A-300 standards
- Specifically, the Commission found that you are in violation of Sections 110-256(b)(1), (2), (3), (3), (4), and (5) of the Code, which provide as follows:

Tree Abuse.

- (k) *Generally.* Tree abuse is prohibited, and abused trees shall not be counted toward fulfilling landscape requirements. The city may require the abused trees to be replaced.
- (l) *Prohibited acts.* A tree shall be considered abused if one or more of the following actions has taken place:
 - (1) Significant damage has been inflicted upon any part of the tree, including the root system, by machinery, storage of materials, soil compaction, excavation, vehicle accidents, chemical application or change to the natural grade.
 - (2) Damage inflicted to or cutting upon a tree which permits infection or pest infestation.
 - (3) Cutting upon any tree which permanently reduces the function of the tree or causes it to go into shock.
 - (4) Cutting upon a tree, which destroys its natural shape.
 - (5) Hatracking as defined in section 110-252.

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In addition, the Commission found that you are in violation of Section 110-321(a) of the Code, which provides as follows:

Permit Required.

(a) Unless a tree removal permit approved by the tree commission and issued by the chief building official has been obtained, no person, whether on publicly or privately owned land, shall willfully cause harm or major maintenance to or hatracking or removal of the following:

(11) Any tree listed as “specially protected” in section 110-253;

(12) Any dicot tree which is 3 ½ inches or more in diameter at breast height;

7. As to the Mahogany tree, *Swietenia mahogoni*, measuring 109 inches circumference at breast height, located on the playground beside school and beside the auditorium, the Commission found that 9 pruning cuts were made on this Mahogany tree. On the north portion, there were 7 cuts, and the north one-third side of tree was removed. The east and west side of tree was lion’s-tailed and over-lifted. The largest cut is approximately 8 inches by 10 inches. On the west portion, there were 2 cuts, the largest approximately 6 inches by 8 inches. The tree is vigorously sprouting from dormant bud growth. Pruning of this Mahogany tree was not performed according to ‘Best Pruning Practices’ by ANSI A-300 standards

Specifically, the Commission found that you are in violation of Sections 110-256(b)(1), (2), (3), (3), (4), and (5) of the Code, which provide as follows:

Tree Abuse.

(m) *Generally.* Tree abuse is prohibited, and abused trees shall not be counted toward fulfilling landscape requirements. The city may require the abused trees to be replaced.

(n) *Prohibited acts.* A tree shall be considered abused if one or more of the following actions has taken place:

(1) Significant damage has been inflicted upon any part of the tree, including the root system, by machinery, storage of materials, soil compaction, excavation, vehicle accidents, chemical application or change to the natural grade.

(2) Damage inflicted to or cutting upon a tree which permits infection or pest infestation.

(3) Cutting upon any tree which permanently reduces the function of the tree or causes it to go into shock.

(4) Cutting upon a tree, which destroys its natural shape.

(5) Hatracking as defined in section 110-252.

In addition, the Commission found that you are in violation of Section 110-321(a) of the Code, which provides as follows:

Permit Required.

(a) Unless a tree removal permit approved by the tree commission and issued by the chief building official has been obtained, no person, whether on publicly or privately owned land, shall willfully cause harm or major maintenance to or hatracking or removal of the following:

(13) Any tree listed as “specially protected” in section 110-253;

(14) Any dicot tree which is 3 ½ inches or more in diameter at breast height;

Pursuant to section 110-293 of the Code, providing that the Commission shall issue a recommendation of a fine to the code enforcement special master, the Commission recommended a fine in the amount of \$2,500.00 per violation for each of the 42 violations found by the Commission.

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(b) 1010 Windsor Ln. St. Mary's Star of the Sea Church

Represented by Zackary Bentley/Manuel Garcia. Tree work with out permits

Approved **Denied** **Table** **Further Action**

Notes: Packet of information of findings and violations of each tree was submitted by

Domenech-Coogle. Found to be in violation of the City of Key West Tree Protection Ordinance. Declined to enter into a compliance settlement agreement pursuant to section 110-291 of the Code of Ordinances of the City of Key West (hereinafter the "Code"), pursuant to section 110-292 of the Code, the Tree Commission hereby forwards this matter to the code enforcement special master for further hearing and penalty. Pursuant to section 110-294 of the Code, this shall constitute notice of the Commission's final decision and its intention to forward this matter to the code enforcement special master.

Violation of 6 Counts of the Code as to the following described tree located at 1010 Windsor Lane, Key West, Florida: one (1) Lignum vitae.

1. As to the Lignum vitae, Guaiacum sanctum, measuring 108 inches circumference at breast height, and believed to be the second largest known in Key West, and located next to the auditorium on the Truman Avenue side, the Commission found that 58 pruning cuts were made on this Lignum Vitae tree, which was over-lifted and lion's-tailed. On the south portion, there were 17 cuts, the largest cut being approximately 3 inches by 4 inches. On the east portion there were 8 cuts, the largest being approximately 7 inches. On the north portion, there were 33 cuts, the largest cuts (3) approximately 3 inches by 2 inches. The tree is vigorously sprouting at pruning sites and from dormant bud growth. Pruning of this Lignum Vitae tree was not performed according to 'Best Pruning Practices' by ANSI A-300 standards.

Specifically, the Commission found that you are in violation of Sections 110-256(b)(1), (2), (3), (3), (4), and (5) of the Code, which provide as follows:

Tree Abuse.

(a) *Generally.* Tree abuse is prohibited, and abused trees shall not be counted toward fulfilling landscape requirements. The city may require the abused trees to be replaced.

(b) *Prohibited acts.* A tree shall be considered abused if one or more of the following actions has taken place:

(1) Significant damage has been inflicted upon any part of the tree, including the root system, by machinery, storage of materials, soil compaction, excavation, vehicle accidents, chemical application or change to the natural grade.

(2) Damage inflicted to or cutting upon a tree which permits infection or pest infestation.

(3) Cutting upon any tree which permanently reduces the function of the tree or causes it to go into shock.

(4) Cutting upon a tree, which destroys its natural shape.

(5) Hatracking as defined in section 110-252.

In addition, the Commission found that you are in violation of Section 110-321(a) of the Code, which provides as follows:

Permit Required.

(a) Unless a tree removal permit approved by the tree commission and issued by the chief building official has been obtained, no person, whether on publicly or privately owned land, shall willfully cause harm or major maintenance to or hatracking or removal of the following:

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

(2) Any dicot tree which is 3 ½ inches or more in diameter at breast height;

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Pursuant to section 110-293 of the Code, providing that the Commission shall issue a recommendation of a fine to the code enforcement special master, the Commission recommended a fine in the total of \$1,250.00 for the violations found by the Commission

- (c) **316 Elizabeth Street, Mark Orofino:** Noncompliance of past issued permit
 Approved Denied Table Further Action
Notes: Deadline passed on 03-11-07. Has made many tree replacements. Domenech-Coogle was not able to get final replacement inches due to last minute plantings and time constraints. Tree Commission decided to approve if by next meeting mitigation is met. Remove from agenda if compliant. 134" native tree canopy, FL#1.
Replacements:
- (d) **730 Eaton Street, James and Patricia Kemp:** Tree work with out permits
 Approved Denied Table Further Action
Notes: Violation unfounded. Prior owner installed pool causing decline of tree. Pictures submitted by current owner.
Mr. Barroso motioned
Mr. Molinet second.
- (e) **1835 Flagler Avenue, Advanced Auto Parts:** Tree work with out permits
 Approved Denied Table Further Action
Notes: Manager present, had to leave prior to case being heard due to time constraints and closing of business.
Replacements: Mr. Molinet motioned to table until next meeting
Mr. Barroso second

Added to Agenda:

- (f) **Native Plant Conference in Bradenton, May-14 thru 18, 2008.**
 Approved Denied Table Further Action
Mr. Barroso motioned for Urban Forester and tree commissioners to attend.
Mr. Molinet second.
- (g) **Trees Florida Conference in Westin, June 7-10, 2008. FL Chapter ISA Annual Conf.**
 Approved Denied Table Further Action
Mr. Barroso motioned for Urban Forester and tree commissioners to attend.
Mr. Molinet second.
- (h) **Cancel June meeting**
 Approved Denied Table Further Action
Mr. Barroso motioned to cancel June meeting with next meeting to be July 14, 2008.
Mr. Molinet second.

9. Champion Tree Nomination

No new nominations made

10. Staff and Emergency Approval Permits

- (a) **1111 Grinnell St. Tony Willis:** Remove (2) Coconuts Palms. **Permit # 5125**
(b) **3424 Riviera Drive, Pam Bluth & Dave Ellis: (Emergency),** Remove (1) Mahogany tree. **Permit # 5126**

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- (c) **409 Applerouth Lane, Big Ruby's Guest House:** Remove (1) Coconut Palm tree. **Permit # 5127**
- (d) **1401 Newton Street, Dennis Holmes:** Remove (1) Spanish Lime in front of Home. **Permit #5128**
- (e) **3341 Riviera Drive, Edward & Collen Gartenmayer:** Remove (1) Coconut Palm. **Permit # 5132**
- (f) **1017 Southard Street, Stephen Hendrickson:** Remove (1) Coconut Palm. **Permit # 5133**
- (g) **1116 Thompson Street, Patty McLaughin:** Remove (1) Coconut Palm. **Permit # 5134**
- (h) **6 Lowes Lane, Peter Johns:** Remove (1) Coconut Palm. **Permit # 5135**
- (i) **1108 Watson Street, Dan Foster:** Remove (1) Pithecellobium dulce. **Permit # 5136**
- (j) **805/813 Baptist Lane, Deborah Cox-Barnett:** Remove of Tamarind Tree. **Permit #5147**

11. Discussion Items:

Domenech-Coogle discussed lack of minutes from prior meetings completed due to time constraints and heavy work load. Decisions of priority eliminate time for minutes prepared. Mr. Crespo volunteered to assist.

Ms. Lee discussed items for clarity and efficiency.

Adjourn meeting: Mr. Curry motioned. All second. Time: 10:30 p.m.