



VILLAGE OF KEY BISCAYNE

Department of Building, Zoning and Planning

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Mission Statement: "TO PROVIDE A SAFE, QUALITY ENVIRONMENT FOR ALL ISLANDERS THROUGH RESPONSIBLE GOVERNMENT"

TREE REMOVAL/RELOCATION PERMIT APPLICATION

Per Village Code Sec. 30-235. - Tree Removal Permit.

Tree removal permit required. No Person shall cut down, destroy, remove, relocate, destructively damage or cause to be cut down, destroyed, removed, relocated or destructively damaged any tree without first obtaining a permit from the Village. The issuance of a tree removal permit from the Village shall require proof that a permit has been obtained from the Miami-Dade County Department of Resource Management, if such permit is required by Division 2 "Tree Preservation and Protection" of Chapter 24 of the Miami-Dade County Code of Ordinances, as may be amended from time to time.

It is incumbent on the applicant to determine County requirements prior to requesting a tree removal permit from the Village. Relevant County personnel can be contacted at (305) 372-6600.

REQUIREMENTS:

1. Do not begin work without receipt of your validated permit and permit card. Applying for a permit does not grant the right to begin work. Use of heavy equipment is limited to Monday-Friday from 7:00 a.m. to 6:30 p.m. The FEE FOR A TREE REMOVAL/RELOCATION PERMIT IS \$100.00.
2. A survey of your property showing locations of trees to be removed/relocated is required.
3. Streets and neighboring properties shall be kept free from dirt or debris. Protect swales from being damaged by equipment or vehicles.
4. Do not discharge water into the right of way or storm drains without departmental approval. Equipment and materials shall not be stored within 10 feet from edge of pavement.

Application Date: _____ Permit No.: _____

Site Address/Location: _____

Description of Work: _____

Reason for Work: _____

Number & Type of Trees: _____

Current Use of Property: _____ Proposed Use of Property: _____

CONTRACTOR INFORMATION

Contractor Name: _____ License No.: _____

Address: _____

City: _____ ST _____ ZIP _____

Contractor Phone No.: _____ Owner's Name: _____

OWNER INFORMATION

Owner Name: _____

Address: _____

City: _____ ST _____ ZIP _____

Phone No. _____

I UNDERSTAND THAT IN SIGNING THIS PERMIT, I AM RESPONSIBLE FOR THE SUPERVISION AND COMPLIANCE OF THE WORK TO BE PERFORMED AS DESCRIBED IN PLAN AND/OR ON THIS APPLICATION. SAID WORK SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL LAWS. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS PERMIT MAY RESULT IN THE ISSUANCE OF CIVIL VIOLATION PENALTIES.

Signature of Owner or Authorized Agent

Signature of Contractor

Print Name

Print Name

Date

Date

FOR OFFICE USE ONLY

APPROVAL/DENIAL:	TOTAL PERMIT FEE:
Date: _____ Permit No.: _____ Approved by: _____ Denied by: _____ (see Comment Sheet for reasons)	Tree Removal/ Relocation: \$100.00 TOTAL: \$ _____ Check #: _____ Date: _____
FIELD NOTES (For Staff Use) : _____ _____ _____ _____	

Excerpts of Village Code of Ordinances Sec. 30-235. - Tree removal permit.

- (a) Tree removal permit required. No Person shall cut down, destroy, remove, relocate, destructively damage or cause to be cut down, destroyed, removed, relocated or destructively damaged any tree without first obtaining a permit from the Village. The issuance of a tree removal permit from the Village shall require proof that a permit has been obtained from the Miami-Dade County Department of Resource Management, if such permit is required by Division 2 "Tree Preservation and Protection" of Chapter 24 of the Miami-Dade County Code of Ordinances, as may be amended from time to time.
- (b) Permit Fee. The Village Council shall establish a fee for tree removal permits. However, no fee shall be charged for a permit to remove the following:
- (1) *Schinus terebinthifolius* (Brazilian Pepper/Florida Holly).
 - (2) *Metopium toxiferum* (Poison Wood).
 - (3) *Casurina equisetifolia* (Australian Pine).
 - (4) *Melaleuca Quinquenervia* (Melaleuca).
 - (5) *Araucaria Heterophylal* (Excelsa, Norfolk Island Pine).
 - (6) *Brassaia Actinophylla* (Schefflera).
 - (7) *Bischofia javanica* (bishopwood).
 - (8) *Ricinus communis* (castorbean).
 - (9) *Psidium guajava* (guava).
 - (10) *Albizia lebbek* (woman's tongue).
 - (11) *Acacia auriculaeformis* (earleaf acacia).
 - (12) *Adenanthera pavonina* (red sandalwood).
 - (13) *Cupaniopsis anacardioides* (carrotwood).
 - (14) *Dalbergia sissoo* (Indian dalbergia, sissoo).
 - (15) *Ficus microcarpa* (=R. nitida: =F. retusa varnitida) (laurel fig).
 - (16) *Flacourtia indica* (governor's plum).
 - (17) *Hibiscus tiliaceus* (mahoe).
 - (18) *Leucaena leucocephala* (lead tree).
 - (19) *Mimosa pigra* (catclaw mimosa).
 - (20) *Thespesia populnea* (seaside mahoe).
 - (21) A dead or fatally diseased tree, which meets the requirements of subsection (d)(7).
 - (22) A tree that has a chronic pest infestation or other persistent harmful condition, which meets the requirements in subsection (d)(8).
 - (23) A tree causing substantial damage to hardscape features or structures, which meets the requirements in subsection (d)(9).
- (c) Application. The Tree Removal Permit Application shall contain the following information:
- (1) Location of the tree to be removed.
 - (2) A survey of the property showing the Buildings, Easements, utility services.
 - (3) If the permit request is supported by the criteria of subsections (d)(7), (d)(8) or (d)(9), the required statement of a professional holding an International Society of Arboriculture Arborist Certification.
 - (4) The Building, Zoning and Planning Director may waive the requirements of subsections (c)(1) and (c)(2), upon a determination that the required information can be obtained in the Village records or through a site visit.
- (d) Tree removal evaluation criteria. No tree may be removed unless one of the following conditions exists, as determined by the Building, Zoning, and Planning Director:
- (1) A Site Plan is submitted by the applicant that demonstrates a proposed Structure can be situated on the property only if specifically identified tree(s) are removed or relocated.

- (2) The tree(s) is (are) located in such proximity to existing or proposed Structures that the utility or structural integrity of such Structures is or will be materially impaired.
- (3) The tree materially interferes with the location, servicing, or functioning of Public Utility lines or service, and such interference cannot be mitigated by trimming or pruning.
- (4) The tree obstructs views of oncoming traffic or otherwise creates a substantial traffic hazard, and such obstruction or hazard cannot be mitigated by trimming or pruning.
- (5) Any law or Regulation that requires such removal.
- (6) The tree is one listed in subsections 30-235(b)(1)—(20).
- (7) A statement is submitted by a professional holding an International Society of Arboriculture Arborist Certification demonstrating that the tree is:

- a. Fatally diseased; or
- b. Suffering from a chronic irreversible disease.

(8) A statement is submitted by a professional holding an International Society of Arboriculture Arborist Certification, demonstrating that the tree is affected by a pest infestation affecting the owner's reasonable use and enjoyment of the property for which there is no scientifically recognized treatment to control the infestation, or alternatively, if there is such a recognized treatment, that such the recognized treatments have been applied as recommended and have been ineffectual in controlling the infestation.

(9) For single or two-family residential properties, a statement is submitted by a professional holding an International Society of Arboriculture Arborist Certification, demonstrating that the tree's root system has caused material damage to impervious exterior hardscape elements or structures (excluding elements constructed using movable sand-set pavers) and that the owner has unsuccessfully exhausted all available and approved methods to resolve the condition causing such damage, including but not limited to. root pruning or installation of root barriers, and that there is no practical alternative to rectify or mitigate the damage except for removal of the subject tree.

(10) A tree removal permit application may pertain only to a tree located on the applicant's own Lot, and not to any tree located on another owner's Lot or in the public right-of-way of other Village owned land.

(e) Replacement trees.

(1) Any tree that is removed must be replaced with:

- a. A single tree with not less than the same number of inches of caliper diameter and the same canopy diameter as the removed tree; or
- b. Trees that cumulatively provide not less than the same number of inches of caliper diameter and the same canopy diameter as the removed tree; or
- c. In the Manager's discretion based on a finding of hardship, trees that cumulatively provide as substantial a canopy replacement as is practicable under the circumstances.

All replacement trees must be on the same site from which the tree was removed, except in cases of hardscape disruption and otherwise as approved by the Director.

(2) If as a result of any tree removal, the Lot or property contains less than the minimum number of required trees specified in subsection 30-238(2), a replacement tree or trees must be planted on the subject Lot or property to satisfy the requirements of subsection 30-238(1) and (2): provided that if the removed tree is one of the trees identified in subsections 30-235(b)(1)—(20) and if such removal results in less than the minimum number of required trees specified in subsection 30-238(2), then, in such instance only, the Lot owner will not be required to plant a replacement tree or trees to satisfy the requirements of subsections 30-238(1) and (2). If a tree that is subject to permitted removal is to be destroyed, in the discretion of the Manager, the Village may, but shall not be required to, arrange for the removal and relocation of the tree to Village property at the Village's cost, and such tree shall be the property of the Village if it is relocated by the Village.

(3) Where tree removal on a Lot results in less than the minimum quantity of trees specified in subsection 30-238(2), and where the removed trees are not replaced on the subject Lot due to Manager's finding of hardship, the applicant shall either:

- a. Replace a minimum of 50 percent of the removed canopy with a single tree or with multiple trees; or
- b. Donate a tree to the Village that has a minimum of 50 percent of the removed canopy: unless the Manager determines otherwise based on hardship.

(f) Removal of trees on public lands. No trees shall be removed from any public land including, but not limited to Rights-of-Way and swale areas, without the approval of the Building, Zoning, and Planning Director and Village Manager.

(Ord. No. 2010-6, § 2(Att. A), 10-12-10; Ord. No. 2013-2, § 2, 4-9-13)