

## Jeffries, Jason

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**From:** Jeffries, Jason  
**Sent:** Tuesday, November 15, 2022 9:39 AM  
**To:** Travis Whitfield (thwhitfieldconstruction@yahoo.com)  
**Cc:** Fitzgerald, Cheri  
**Subject:** 775 Acacia - TR22-000088

Travis,

Thank you for taking my call this morning. Based on complaints received by the Planning Office regarding the removal of a 52" DBH Oak Tree as part of a minor site plan to construct a new residential structure at 775 Acacia, I have reviewed the tree removal permit (TR22-000088) issued by the Planning and Development Department on 10/11/22. Based upon the review of the permit, I found that the permit was issued with insufficient information required by the City's Tree and Palm Protection Ordinance and F.S. 163.045. Tree Removal Permit TR22-000088 is hereby revoked by the Planning Director.

To rectify the tree removal permit, please submit the following information:

1. Documentation that Scott Tree Services is a certified arborist by ISA or a Florida licensed landscape architect.
2. Documentation that the tree poses an unacceptable risk to persons or property and the removal is the only means of practically mitigating its risks below moderate as determined by the tree risk assessment procedures outlined in Best Management Practices - Tree Risk Assessment, Second Edition (2017) per F.S. 163.045 (see state statute below).

**163.045 Tree pruning, trimming, or removal on residential property.—**

(1) For purposes of this section, the term:

(a) "Documentation" means an onsite assessment performed in accordance with the tree risk assessment procedures outlined in Best Management Practices - Tree Risk Assessment, Second Edition (2017) by an arborist certified by the International Society of Arboriculture (ISA) or a Florida licensed landscape architect and signed by the certified arborist or licensed landscape architect.

(b) "Residential property" means a single-family, detached building located on a lot that is actively used for single-family residential purposes and that is either a conforming use or a legally recognized nonconforming use in accordance with the local jurisdiction's applicable land development regulations.

(2) A local government may not require a notice, application, approval, permit, fee, or mitigation for the pruning, trimming, or removal of a tree on a residential property if the property owner possesses documentation from an arborist certified by the ISA or a Florida licensed landscape architect that the tree poses an unacceptable risk to persons or property. A tree poses an unacceptable risk if removal is the only means of practically mitigating its risk below moderate, as determined by the tree risk assessment procedures outlined in Best Management Practices - Tree Risk Assessment, Second Edition (2017).

(3) A local government may not require a property owner to replant a tree that was pruned, trimmed, or removed in accordance with this section.

(4) This section does not apply to the exercise of specifically delegated authority for mangrove protection pursuant to ss. 403.9321-403.9333.

Please call me if you have questions.

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