



Tree Preservation Board Regular Meeting

Agenda

September 26, 2023 @ 5:00 pm

Winter Park City Hall
Commission Chambers
401 S. Park Ave.

welcome

Agendas and all backup material supporting each agenda item are accessible via the city's website at cityofwinterpark.org/bpm and include virtual meeting instructions.

assistance & appeals

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office ([407-599-3277](tel:407-599-3277)) at least 48 hours in advance of the meeting.

"If a person decides to appeal any decision made by the Board with respect to any matter considered at this hearing, a record of the proceedings is needed to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F.S. 286.0105).

please note

Times are projected and subject to change.

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1. **Call to Order**
 2. **Consent Agenda**
 - a. [Approval of the August 22, 2023 Minutes](#) 2 Minutes
 3. **Citizen Comments (for items not on the agenda): Three minutes allowed for each speaker**
 4. **Public Hearings**
(Public participation and comment on these matters must be in-person.)
 5. **Action Items**
 6. **Non-Action Items**
 7. **Staff Updates**
 - a. [Staff Updates](#) 20 Minutes
 - P&Z Board Work Session
 - 6 Isle of Sicily Case
 - Backyard Biodiversity Day
 - Winter Park Land Trust Committee - Community Forum on Trees
 8. **Board Comments**
 9. **Upcoming Agenda Items**
 10. **Adjournment**



item type	Consent Agenda	meeting date	September 26, 2023
prepared by	Laura Halsey	approved by	
board approval			
strategic objective			

subject

Approval of the August 22, 2023 Minutes

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[08.22.23 Minutes.docx](#)



Tree Preservation Board Minutes

August 22, 2023 at 5:00 p.m.

Chapman Room
401 S Park Ave | Winter Park, Florida

Present

Kim Ashby, Melanie Love, Rebecca Gallardo, Christine Girand, Christina Schloot (5:03pm)

Absent

Steve Carras, Jill Bendick

1. Call to Order

Meeting called to order by Chairperson, Kim Ashby at 5:00pm

2. Consent Agenda

a. Approval of the July 25, 2023 Minutes

Motion made by Melanie Love, seconded by Rebecca Gallardo, to approve the minutes. Motion carries 4-0.

3. Citizen Comments (for items not on the agenda)

None

4. Public Hearings

a. Tree Removal Appeal - 715 Via Lugano

Ms. Hinrichsen, Urban Forestry Superintendent, presented the case to the Board. She provided documentation and photos pertaining to the tree removal permit application as well as the reasoning for denial. Staff believes the tree is still very strong and healthy and did not present any decay. Board inquired if the homeowner is allowed to trim and or lift the branches touching the home without a permit and if there are requirements and or restrictions for how the trimming should be conducted. Board also inquired about the surface root that is lifting the pavers of the pathway. Ms. Hinrichsen stated there are remediation techniques for a situation where a root system was lifting pavers and or concrete but she is not fully versed on what those techniques are. Board also inquired as to when the home was purchased and if homeowner's insurance had been denied due to the tree.

Homeowner, Andrew Orosz, spoke on his behalf stating he and his wife purchased the home in April 2023. He does not dispute that the tree is healthy and beautiful but it has become a hazard to the home and the root system has caused damage to the walkway and pool deck of the home. It is also reaching the guest house. He believes the tree may fall causing significant damage to the home. A large part of the canopy

is resting on the roof of the home and should it fall, would fall on the bedrooms of his two daughters. He has been informed by insurance carriers that the tree will cause an issue for coverage at some point. He would like to request a reconsideration and reversal of the decision to deny the application of the permit.

Board inquired if Mr. Orosz could pull the branches back off of the roof of the house and also relocate the walkway. Is there any way to work around the tree since the trunk is 18' from the home?

Mr. Orosz presented his own photos as well showing the branches resting on the roof stating he is unfamiliar on where to trim the large branches in order to alleviate the problem. As far as the root system, the main surface root is of very significant size and are around the perimeter of the tree in every direction.

Board inquired if Ms. Hinrichsen could advise on where the homeowner could make the cuts. Ms. Hinrichsen stated in this case perhaps taking the bottom branch back to the trunk allowing the branches to naturally lift once the weight is removed, and seeing where to go from there.

Motion made by Christine Girand to rule in favor of the appellant as it seems like a massive undertaking to try and save the tree. Motion fails.

Board discussed further the options available to remedy the situation without removing the tree and that coverage may be harder to find but it is possible. Ms. Hinrichsen stated that insurance companies will readily accept a letter from a certified arborist stating the tree is sound.

Motion made by Rebecca Gallardo, seconded by Christina Schloot, to uphold the denial of the application. Motion passes unanimously.

5. Action Items

6. Non-Action Items

7. Staff Updates

a. Division Staffing

Mr. Nye introduced JJ Rodriguez as the new City Arborist. He has experience with Utility Vegetation Management work so he is familiar with that side of the field, which is very important, he is a certified arborist and has also done some tree work on the ground, and worked with the UCF Arboretum. We are really happy to have JJ on board.

b. New Community Canopy Season

Mr. Nye informed the Board the program will launch on September 2nd and may go until late November. He started off with lower numbers because the number of trees being claimed has declined slightly. The last community canopy event was matched 1:1 by the Florida Forest Service.

c. FS163.045 Email Blast

Mr. Nye informed the Board that staff sent the email to contractors, arborists, and community figures as well reiterating our approach towards enforcing our Tree code that went into effect July 1, 2022. Since the law was amended, we have seen a huge uptick in the number of people trying to use it. It has been more-so residents than contractors that have been trying to use it. Staff stated that the number of reports received that have met the requirements has only been a handful.

8. Board Comments

9. Upcoming Agenda Items

10. Adjournment

Meeting adjourned at 5:51pm

/s/ Recording Secretary Laura Halsey



Tree Preservation Board

agenda item

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Staff Updates

item list

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