



CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE **08/04/2009**

SUBJECT: HISTORIC TREE REMOVAL REQUEST – RESIDENTIAL PROPERTY
 3908 OAK CREST CIRCLE, COUNTRYSIDE SUBDIVISION

DEPARTMENT: COMMUNITY DEVELOPMENT

RECOMMENDED MOTION: To approve the historic tree removal request.



SUMMARY: This is a request from the property owners Hans and Brigitte Werner, to remove one historic Live Oak tree pursuant to Ch. 9, Art. II, Sec. 16.5 of the Port Orange LDC. The tree is 44 inches in diameter and is located in the side yard adjacent to the principle structure. The Werners would like approval to remove this tree to avoid incurring additional property damage to their home.

As evidenced by the accompanying photographs the tree is locating a mere 4 ½ feet from the exterior wall of the house. The roots of the tree are interfering with the house foundation. Cracks have developed in the concrete slab and exterior wall of the garage. Future growth of the tree will result in further damage to the structure. The heavy limbs of the tree overhanging the roof equally disturb the homeowners. In addition to the existing damage to the home, staff has identified a structural defect in the tree approximately five feet from ground level where the tree splits into three trunks. The tree clearly presents a hazard to the Werner’s house and is a potential threat to the neighboring house at 3906 Oak Crest Circle.

Pursuant to Chapter 9, Article II, Section 16.5 historic trees on single-family lots that are approved for removal by City Council shall be replaced whenever the proposed removal will result in less trees than required for single-family residences as outlined in Section 5.5, Chapter 13. Based on the foregoing criteria the property will need one replacement shade tree. Staff recommends **approval** of the historic tree removal request. If approved, a tree removal permit will be issued with a condition that one replacement shade tree be installed to meet requirements of Chapter 9, Article II, Section 16.5 and Chapter 13, Section 5.5.

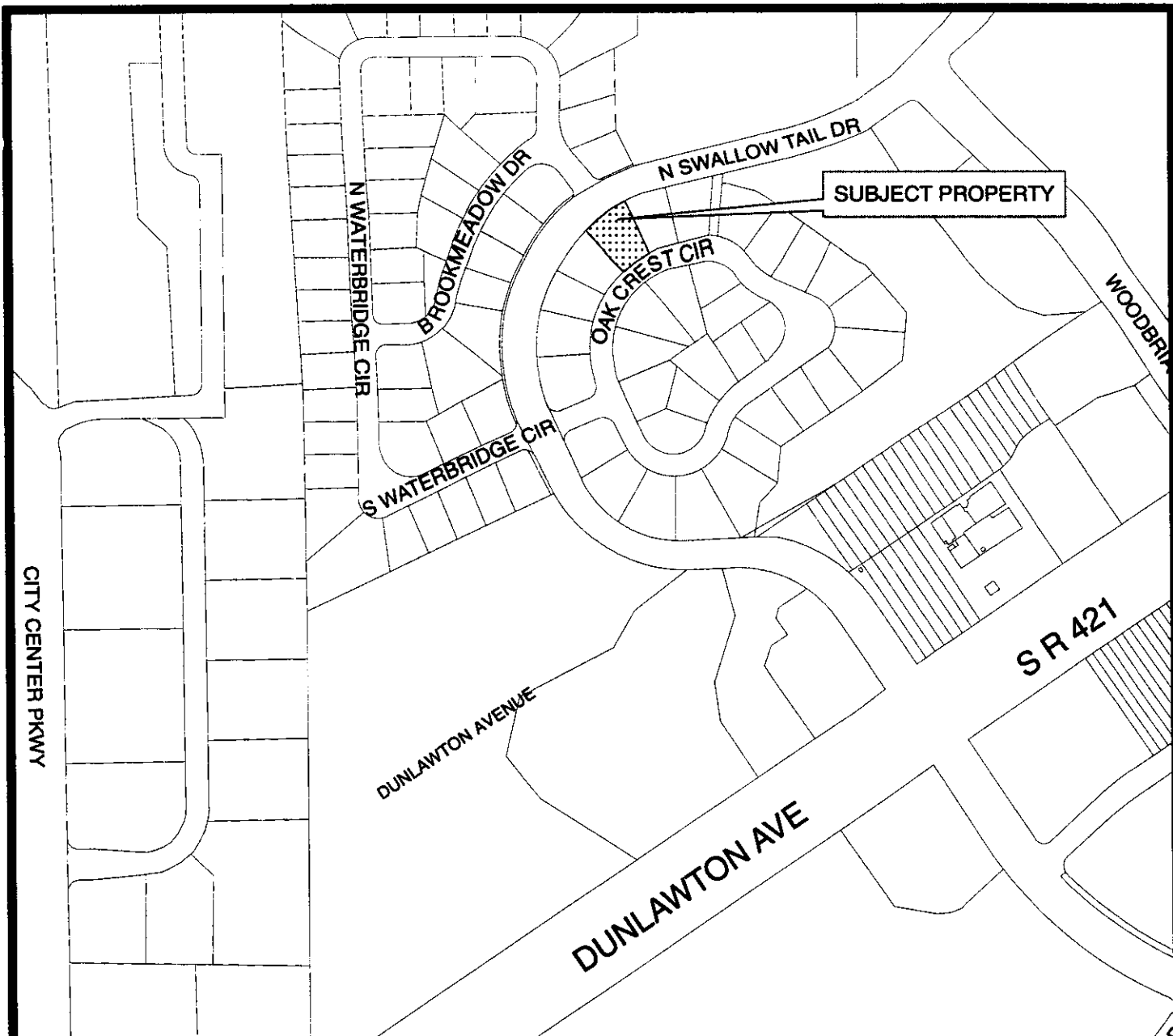
ATTACHMENTS: Ordinance Resolution Budget Resolution

Other Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD		Wayne Clark, Community Development Director	Date	7/24/09
FINANCE DEPARTMENT	N/A	Approved as to Budget Requirements	Date	
CITY ATTORNEY	N/A	Approved as to Form and Legality	Date	
CITY MANAGER		Approved Agenda Item For:		8/4/09

COUNCIL ACTION: Approved as Recommended Disapproved

Tabled Indefinitely Continued to Date Certain Approved with Modification



Subject: Historic Tree Removal Request

Applicants: Hans and Brigitte Werner,
Property Owners

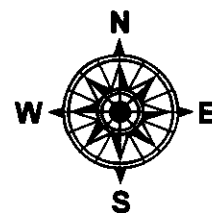
Location: Lot 5, Countryside PUD
Unit XII B Subdivision
(3908 Oak Crest Circle)

Requested Action: To approve the
Historic Tree
Removal Request

Location Map

CITY OF PORT ORANGE

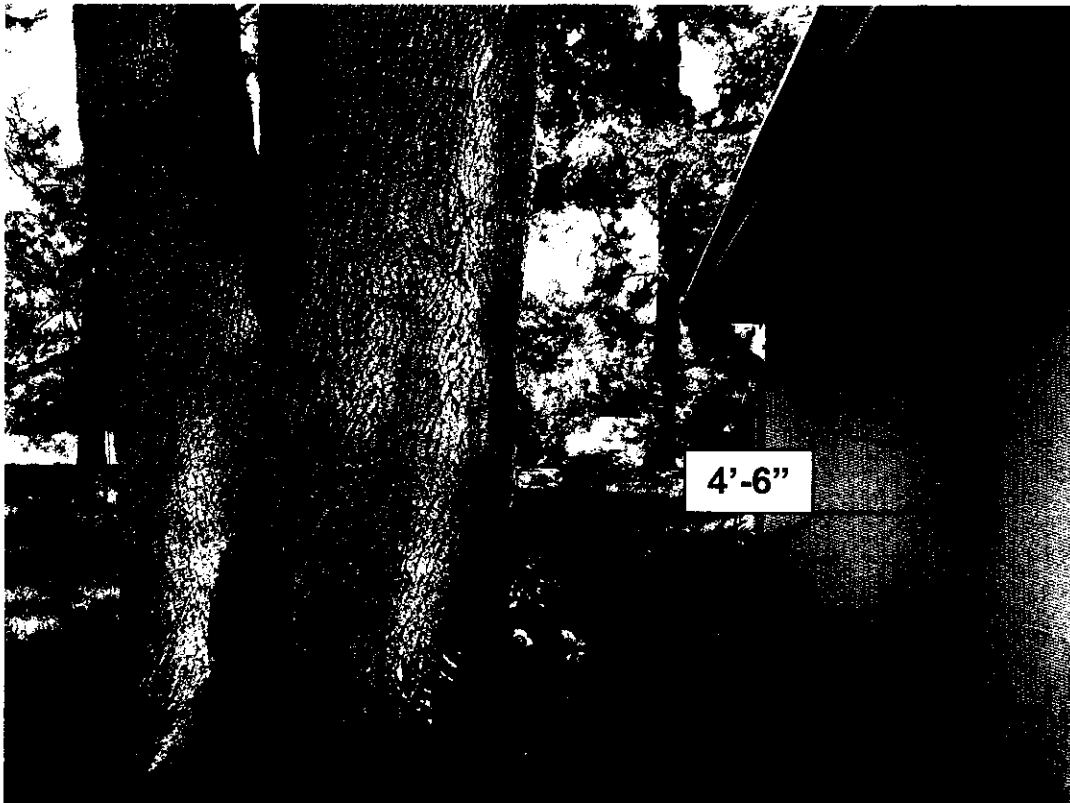
DEPARTMENT OF COMMUNITY DEVELOPMENT



Historic tree removal request – 3908 Oak Crest Circle



Street view – 3906 Oak Crest Circle on left, 3908 Oak Crest Circle on right



View looking towards rear yard – Trunk proximity to side of house