

CASE SUMMARY
Case # 25-122853
Citation # 0032
Hearing Date: 11/13/2025
Code Supervisor: M. San Miguel

DESCRIPTION:

Property address of: 2009 Red Rock Rd. New Smyrna Beach, FL 32168
Parcel ID: **7344-15-00-03AA**

OWNER : Oak Leaf Preserve Master Homeo
MAILING ADDRESS : 1170 Celebration Blvd. Ste 202. Celebration, FL 34747

BACKGROUND:

This case was created through a city referral from Development Services. A historical tree was cut down and removed from the vacant lot of this location. It sits adjacent to a residential property. Per City Code **21-55.02 Tree Permit** a permit is required to remove a historical tree. No permit was obtained. A citation 0032 for \$300 was issued and a Tree Mitigation fine of \$1,200 is to be levied.

All notices and provisions of Chapter 10 Article XXVII have been complied with.

STAFF RECOMMENDATION:

Staff recommends that the Special Magistrate find the property in Violation of the City Code:

Citation – \$300

One time Fines for **Tree Mitigation payment** – \$1200



CITATION #

City of Edgewater Code Enforcement Division
PO BOX 100
1605 S. Ridgewood Ave., Edgewater, FL 32132
(386) 424-2400

codeenforcement@cityofedgewater.org

Date: Time: Case#

Name:

Address:

Date/Time violation first observed:

Violation(s) of the Land Development Code/ Code of Ordinances;

- | | |
|--------|-------------|
| 1. Sec | Description |
| 2. Sec | Description |
| 3. Sec | Description |

Civil fine (violation 1) \$

Civil fine (violation 2) \$

Civil fine (violation 3) \$

Nature of the Violation(s)

The violation(s) may be corrected in the following manner:

Signature of owner/tenant:

Signature is not an admission of guilt.

Willful refusal to accept and sign this citation is a second-degree misdemeanor. FS162.21(6) 775.082, 775.083

Method of notice: Certified & Posted

The Code Enforcement Hearing has been scheduled for:

Date: Time:

**City of Edgewater City Hall Chambers
104 N Riverside Dr., Edgewater, FL 32132**

UPON RECEIPT OF THIS CITATION, YOU MAY ELECT TO:

1. Correct the violation and pay the civil fine(s); or
2. Contest the violation(s) at the scheduled hearing reference on the date provided.

Failure to appear at the hearing will indicate that you have waived your right to contest the violation and an order may be entered against you for the maximum applicable penalties that include but are not limited to fines, administrative costs, daily fines and liens. Daily Fines may be liened up to \$500 per day in accordance with section 10-348.

This citation is issued pursuant to Ordinance Sec. 10-344. It is your responsibility to contact the Code Enforcement Officer issuing this citation at (386) 424-2400 Ext. 2210 once the violation has been corrected. The violation will be deemed to be in existence until the Code Enforcement Officer determines that the violation has been corrected. Failure to pay the fine, the violation will be heard before the special magistrate and the date, time, and place that said hearing will be conducted.

The fine(s) may be paid in person at Edgewater City Hall, 104 N. Riverside Dr. or by mail to:

City of Edgewater
Po Box 100 Edgewater, FL 32132

Code Enforcement Officer:

RECEIVED
AUG 16 2007
Community Development

OAKLEAF PRESERVE
PROPOSED SPECIMEN TREE MITIGATION

Required Specimen Tree Preservation.....701 trees
Total Specimen Trees Preserved Onsite⁽¹⁾⁽²⁾.....531 trees
Specimen Tree Preservation Deficit.....170 trees
Total Specimen Trees Surveyed.....493 trees
Total DBH Inches Surveyed.....8854 inches
Average Specimen Tree DBH Surveyed.....17.9 inches
Average Specimen Tree Area Surveyed.....253.3 sq. inches
Proposed Specimen Tree Mitigation Fee per Tree.....\$1,266.73
Total Specimen Tree Mitigation.....\$215,344.20
Total Cost of On-site Tree Planting in Preservation Areas.....\$115,000.00
Proposed Specimen Tree Mitigation Payment.....\$100,344.20

- (1) Total Specimen Trees Preserved Onsite includes 206 trees being removed within the Flood Compensation Storage Area. If these trees remain, Total Specimen Trees Preserved Onsite are 737 trees exceeding the preservation requirement.
- (2) All Historic Trees found on-site will be preserved and are included in data provided.

OAK LEAF

SUMMARY OF SPECIMEN TREES PER LAND USE

FLUCFCS CODE	CLASSIFICATION	SITE ACREAGE	REQUIRED PLOT ACREAGE	#PLOTS/ACREAGE SAMPLED	# SPECIMEN TREES	DENSITY PER FLUCFCS (# specimen trees/acre)
1100	Residential	3.92	0.8 Acres	1 Plot / 0.8 Acres	15	18.8
4140	Pine/Mesic Oak	14.83	3.0 Acres	6 Plots / 3.0 Acres	77	25.7
4200	Upland Hardwoods	38.79	7.7 Acres	16 Plots / 8.0 Acres	144	18.0
4250	Temperate Hardwoods	82.89	16.5 Acres	33 Plots / 16.5 Acres	145	8.8
617/614	Wetland Hardwoods/FWM	7.47	1.5 Acres	3 Plots / 1.5 Acres	28	18.7
617	Mixed Hardwoods	27.42	5.5 Acres	11 Plots / 5.5 Acres	84	15.3

Density for all land uses is greater than 8.0 trees per acre, therefore, using the City Code the estimated number of trees for preservation is 701.3

**OAK LEAF
SPECIMEN TREE MITIGATION SUMMARY**

UPLAND BUFFERS

LOCATION	ACREAGE	FLUCFCS CODE	ESTIMATED TREES
H1	1.293	4200	23.27
DF1	0.829	4250	7.29
AC1	0.411	4250	3.61
AC2	0.210	4250	1.85
AC3	2.020	4250	17.76
B4	0.104	4250	0.91
Y1	0.638	4250; 4200	8.5
PA1	0.196	4200	3.52
G1	0.394	4250	3.46
B1	0.429	4250	3.77
B2	0.139	4200	2.5
B3	0.405	4250	3.56
Y2	0.301	4140	7.73
SUBTOTAL	7.369		87.73

WETLAND PRESERVES

	22.58	617	344.80
	4.92	617/614	98.4
SUBTOTAL	27.50		443.20

ESTIMATED TREES PRESERVED	530.93
PRESERVATION REQUIRED	701.3
DIFFERENCE	-170.37

ESTIMATED TREES IN COMPENSATING STORAGE AREAS

LOCATION	ACREAGE	FLUCFCS CODE	ESTIMATED TREES
DF1	1.45	4250	12.75
DF2	0.48	4250	4.22
AC1	2.71	4250	23.79
AC2	3.33	4200	59.94
B1	1.73	4200	31.14
B2	6.70	4250/4200	74.37
TOTAL SPECIMEN TREES REMOVED			206.21

Oak Leaf
Specimen Tree Survey Data

Plot 1			FLUCFCS: 1100				
Tree No.		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Live Oak	25.4				
2		Sweet Gum	13.1	3			
3		Live Oak	33.1				
4		Live Oak	33.4				
5		Live Oak	33.8				
6		Live Oak	29.2	2			
7		Live Oak	30.5				
8		Live Oak	29.6				
9		Sweet Gum	22				
10		Live Oak	32.5				
11		Live Oak	28.2				
12		Live Oak	26.9				
13		Sweet Gum	15	2			
14		Live Oak	40.5				
15		Live Oak	41.8				
			435		15	435	29
Plot 2			FLUCFCS: 4250				
			0				
Plot 3			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Water Oak	15				
2		Water Oak	15.3				
3		Live Oak	17.5				
4		Water Oak	13.5	8			
			61.3		4	61.3	15.33
Plot 4			FLUCFCS: 4250				
			0				
Plot 5			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
				Trunks (if multiple)			
1		Laurel Oak	16.1	2			
					1	16.1	16.1

Oak Leaf
Specimen Tree Survey Data

Plot 6			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple) Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	17.1	2			
2		Water Oak	13	6			
3		Live Oak	16.9				
4		Live Oak	14.1				
5		Laurel Oak	15.2				
			76.3		5	76.3	15.26
Plot 7			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple) Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Live Oak	24.5				
			24.5		1	24.5	24.5
Plot 8			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	17				
			17		1	17	17
Plot 9			FLUCFCS: 4250				
			0				
Plot 10			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Water Oak	16.4	3			
2		Water Oak	13.8	2			
			30.2		2	0	0
Plot 11			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)		Total Trees	Total DBH	Avg DBH
1		Water Oak	17.1	2			
2		Laurel Oak	23	3			
			40.1		2	29.7	14.85

Oak Leaf
Specimen Tree Survey Data

Plot 12			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	16.7				
2		Water Oak	14.9				
3		Water Oak	15				
			46.6		3	46.6	15.53
Plot 13			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	22.5				
2		Water Oak	16.6	3			
3		Water Oak	15.5	6			
4		Water Oak	13.7	5			
			68.3		4	68.3	
Plot 14			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	15.9	2			
2		Live Oak	21.4	2			
3		Laurel Oak	19				
4		Live Oak	18.7				
5		Laurel Oak	12.1				
6		Laurel Oak	16.5	3			
7		Laurel Oak	18.2	2			
8		Laurel Oak	16				
			137.8		8	137.8	17.22
Plot 15			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Water Oak	12				
2		Live Oak	17.8	2			
3		Live Oak	14.3				
4		Water Oak	12.2	4			
5		Laurel Oak	12.8				
6		Water Oak	14.1	2			
7		Water Oak	14.4	2			
			97.6		7	97.6	13.94
Plot 16			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Live Oak	19.2				
2		Live Oak	27	2 (surveyed)			

Oak Leaf
Specimen Tree Survey Data

Plot 16, continued							
3		Water Oak	15.7	4			
4		Live Oak	15				
5		Water Oak	12.5	5			
			89.4		5	89.4	17.88
Plot 17				FLUCFCS: 4250			
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Water Oak	13	5			
2		Laurel Oak	15.4				
3		Live Oak	22.1				
4		Live Oak	17				
5		Laurel Oak	18.8				
6		Water Oak	16.9				
			103.2		6	103.2	17.2
Plot 18				FLUCFCS: 4250			
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
2		Sweet Gum	13.9	2			
3		Water Oak	16				
4		Laurel Oak	15.8				
5		Live Oak	13				
			58.7		4	58.7	14.67
Plot 19				FLUCFCS: 4250			
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Water Oak	12.4				
2		Live Oak	15.3				
3		Live Oak	19.1	2			
4		Live Oak	18.3				
			65.1		4	65.1	16.28
Plot 20				FLUCFCS: 4250			
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Water Oak	12.5	8			
					1	12.5	12.5
Plot 21				FLUCFCS: 4200			
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	17.5	2			

Oak Leaf
Specimen Tree Survey Data

Plot 21, continued							
2		Laurel Oak	13				
3		Laurel Oak	14.2				
4		Laurel Oak	18.7				
5		Laurel Oak	14.8				
6		Laurel Oak	19.9				
7		Laurel Oak	22.5				
8		Laurel Oak	25.5	2			
9		Laurel Oak	19				
10		Laurel Oak	21.3				
			186.4		10	186.4	18.64
Plot 22				FLUCFCS: 4250			
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Live Oak	17.6				
2		Live Oak	17.1				
3		Live Oak	31.8	2			
			66.5		3	66.5	22.17
Plot 23				FLUCFCS: 4250			
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	15.5				
2		Laurel Oak	15.1				
3		Laurel Oak	15.6				
4		Laurel Oak	15.4				
5		Laurel Oak	16.5				
6		Laurel Oak	12				
7		Laurel Oak	26.6	3			
8		Laurel Oak	13.5				
9		Laurel Oak	12.8				
			143		9	143	15.89
Plot 24				FLUCFCS: 4200			
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Live Oak	16.4				
2		Water Oak	12.3	5			
3		Live Oak	16.6				
4		Live Oak	21.3				
5		Live Oak	16.9				
6		Live Oak	21.2	3			
			104.7		6	104.7	17.45

Oak Leaf
Specimen Tree Survey Data

Plot 25			FLUCFCS: 4200				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	27.9	2			
2		Water Oak	18	2			
3		Laurel Oak	12.5				
4		Live Oak	20				
5		Laurel Oak	15.9				
6		Laurel Oak	23.3				
7		Laurel Oak	18.4				
			136		7	136	19.43
Plot 26			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	16.7				
2		Laurel Oak	15				
3		Laurel Oak	18.6				
4		Laurel Oak	26.4				
			76.7		4	76.7	19.18
Plot 27			FLUCFCS: 4200				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	14.5				
2		Laurel Oak	20.4				
3		Laurel Oak	14.8				
			49.7		3	49.7	16.57
Plot 28			FLUCFCS: 4200				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	16.3				
2		Live Oak	15.9				
3		Live Oak	23.3				
			55.5		3	55.5	18.5
Plot 29			FLUCFCS: 4200				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Live Oak	25.9				
2		Live Oak	26.4				
3		Live Oak	19.4				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
4		Laurel Oak	18.1				
5		Laurel Oak	25.9				

Oak Leaf
Specimen Tree Survey Data

Plot 29, continued							
6		Live Oak	21.1				
7		Live Oak	18.1				
8		Water Oak	25.2	6			
9		Live Oak	17.1				
10		Live Oak	19.5				
11		Laurel Oak	18.2				
			234.9		11	234.9	21.35
Plot 30			FLUCFCS: 4200				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
2		Laurel Oak	12.5				
3		Laurel Oak	25	3			
			37.5		2	37.5	18.75
Plot 31			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	20.1				
2		Laurel Oak	17.5				
3		Laurel Oak	15.3	2			
4		Laurel Oak	17.3				
5		Laurel Oak	17.4				
6		Laurel Oak	12.2				
			99.8		6	99.8	16.63
Plot 32			FLUCFCS: 4200				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Live Oak	19.6				
2		Live Oak	22.2				
3		Live Oak	21.6				
4		Live Oak	19.9				
5		Water Oak	17.1				
6		Live Oak	18.6				
7		Laurel Oak	14.5				
8		Laurel Oak	16.7				
9		Laurel Oak	14.5				
10		Laurel Oak	22.4				
11		Laurel Oak	15.7				
12		Laurel Oak	16				
13		Laurel Oak	30.1				
14		Laurel Oak	22				
15		Laurel Oak	20.8				
16		Laurel Oak	18.1				
17		Laurel Oak	18.4				
18		Laurel Oak	19				
19		Laurel Oak	22				

Oak Leaf
Specimen Tree Survey Data

Plot 32, continued							
20		Laurel Oak	19.8				
21		Laurel Oak	16.2				
22		Laurel Oak	15.9				
			421.1		22	421.1	19.14
Plot 33			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Live Oak	22.6	2			
2		Water Oak	16.7	3			
3		Live Oak	16.3				
4		Live Oak	18.4				
5		Live Oak	18	3			
6		Live Oak	25.4				
7		Live Oak	25.2				
8		Water Oak	13.8	4			
9		Laurel Oak	20.1				
			176.5		9	176.5	19.6
Plot 34			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Water Oak	18.8	2			
2		Sweet Gum	12.5	3			
3		Water Oak	14.1	4			
6		Water Oak	13.8	3			
7		Live Oak	26.5	2			
			85.7		5	85.7	17.1
Plot 35			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Live Oak	25.1				
3		Live Oak	30.7	2			
5		Water Oak	12.4	6			
6		Live Oak	17.3				
7		Water Oak	12.9	6			
8		Water Oak	12.6	8			
9		Water Oak	13.1	5			
			124.1		7	124.1	17.73
Plot 36			FLUCFCS: 4200				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Live Oak	22.9				
2		Live Oak	25.2				
3		Live Oak	26.2				

Oak Leaf
Specimen Tree Survey Data

Plot 36, continued							
4		Live Oak	25.5				
5		Live Oak	23.4				
6		Water Oak	19.7	6			
7		Water Oak	12	5			
8		Live Oak	20.4				
9		Laurel Oak	13.9				
10		Water Oak	24.7	2			
11		Laurel Oak	31.5				
12		Live Oak	35.5				
			280.9		12	280.9	23.4
Plot 37			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	20.3	2			
2		Laurel Oak	18.8				
3		Laurel Oak	20.1				
			59.2		3	59.2	19.7
Plot 38			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	17	2			
2		Laurel Oak	16.1				
3		Laurel Oak	16.1				
4		Live Oak	23.2				
			72.4		4	72.4	18.1
Plot 39			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Live Oak	42.3				
2		Live Oak	20.2	2			
			62.5		2	62.5	31.25
Plot 40			FLUCFCS: 4200				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Sweet Gum	16.2				
2		Laurel Oak	17.4				
3		Water Oak	16.8	2			
4		Water Oak	12.7				
5		Slash Pine	22.5				
6		Laurel Oak	15				
7		Laurel Oak	18.1				
8		Water Oak	21.5	2			
9		Laurel Oak	12.3				

Oak Leaf
Specimen Tree Survey Data

Plot 40, continued							
10		Sweet Gum	13.3				
11		Laurel Oak	16.9				
12		Live Oak	26.5				
			209.2		12	209.2	17.43
Plot 41			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Water Oak	14.2				
2		Slash Pine	18.2				
3		Slash Pine	20.3				
5		Laurel Oak	19.3				
6		Laurel Oak	13.8				
7		Sweet Gum	12.5				
9		Sweet Gum	12.4				
10		Sweet Gum	13				
11		Sweet Gum	12.5				
			136.2		9	136.2	15.13
Plot 42			FLUCFCS: 4200				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Water Oak	16				
2		Water Oak	17.6				
3		Laurel Oak	12.1				
4		Water Oak	14.3				
5		Water Oak	13.3				
6		Laurel Oak	14.3				
7		Sweet Gum	13.1	2			
8		Laurel Oak	22.8				
			123.5		8	123.5	15.43
Plot 43			FLUCFCS: 4200				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	14.3				
2		Sweet Gum	13.7				
3		Sweet Gum	12.6				
4		Live Oak	15.6				
5		Laurel Oak	14.8				
6		Live Oak	13.8				
7		Laurel Oak	16.2				
8		Water Oak	14.3				
9		Laurel Oak	13.7				
10		Water Oak	12.3				
11		Water Oak	15.4				

Oak Leaf
Specimen Tree Survey Data

Plot 43, continued							
12		Laurel Oak	15				
13		Laurel Oak	20	2			
			191.7		13	191.7	14.75
Plot 44			FLUCFCS: 4200				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	20.4				
2		Laurel Oak	23.9	2			
3		Laurel Oak	12.7				
4		Laurel Oak	24.9				
5		Laurel Oak	12.9				
6		Sweet Gum	13.4				
7		Laurel Oak	20.6				
8		Laurel Oak	14.1				
9		Laurel Oak	17.1				
10		Laurel Oak	13.2				
11		Laurel Oak	12.8				
			186		11	186	16.91
Plot 45			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	16.1				
2		Live Oak	23				
3		Laurel Oak	17.6	2			
4		Laurel Oak	16.2				
5		Laurel Oak	13.9				
6		Laurel Oak	15.3				
7		Live Oak	27.8				
8		Live Oak	21.8				
9		Water Oak	16				
10		Live Oak	17.4				
11		Laurel Oak	18.5				
12		Live Oak	20.4				
			224		12	224	18.7
Plot 46			FLUCFCS: 4140				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	14.2				
2		Laurel Oak	12.5				
3		Laurel Oak	15.7				
4		Laurel Oak	15.2				
5		Laurel Oak	18.3				
6		Laurel Oak	18.1				
7		Water Oak	17				

Oak Leaf
Specimen Tree Survey Data

Plot 46, continued							
8		Laurel Oak	22.9				
9		Laurel Oak	16.5				
10		Laurel Oak	15.9				
11		Laurel Oak	12.4				
12		Water Oak	21.1	2			
13		Sweet Gum	19.7				
14		Laurel Oak	12.7				
			232.2		14	232.2	16.58
Plot 47			FLUCFCS: 4140				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	13.6				
2		Laurel Oak	12.6				
3		Laurel Oak	26.2				
4		Laurel Oak	16.8				
5		Laurel Oak	16.3				
6		Laurel Oak	23.5				
7		Laurel Oak	12.3				
8		Laurel Oak	16.1				
9		Live Oak	23.8				
10		Laurel Oak	12.6				
11		Laurel Oak	16.3	2			
12		Laurel Oak	12.4				
13		Laurel Oak	15.4				
14		Laurel Oak	14				
15		Laurel Oak	14.1				
16		Laurel Oak	12.9				
17		Live Oak	20.9				
			279.8		17	279.8	16.45
Plot 48			FLUCFCS: 4140				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Slash Pine	24.8				
2		Water Oak	12.1				
3		Live Oak	23.4				
			60.3		3	60.3	20.1
Plot 49			FLUCFCS: 4140				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Water Oak	13.4				
2		Sweet Gum	30.9				
3		Water Oak	12.5				
4		Water Oak	14.3				

Oak Leaf
Specimen Tree Survey Data

Plot 49, continued							
5		Water Oak	14.4				
6		Live Oak	13.3				
7		Laurel Oak	14.7				
8		Laurel Oak	16				
9		Water Oak	12.1				
10		Laurel Oak	14.7				
			156.3		10	156.3	15.6
Plot 50				FLUCFCS: 4200			
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
2		Laurel Oak	14				
3		Laurel Oak	13.8				
4		Laurel Oak	22.2				
5		Laurel Oak	17.5				
6		Laurel Oak	14.7				
7		Laurel Oak	16.3				
8		Sweet Gum	18	2			
9		Sweet Gum	19.4				
10		Laurel Oak	14.8				
11		Laurel Oak	14.9				
12		Laurel Oak	20.8				
13		Laurel Oak	12.8				
15		Sweet Gum	12.8				
			212		13	212	16.3
Plot 51				FLUCFCS: 4250			
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Red Maple	12.4				
2		Live Oak	18.3				
3		Laurel Oak	12.2				
6		Slash Pine	22.3				
7		Slash Pine	18.5				
8		Slash Pine	18.4				
9		Slash Pine	18.7				
10		Slash Pine	18.1				
13		Slash Pine	19.1				
14		Slash Pine	18.5				
17		Slash Pine	23.2				
18		Slash Pine	22.1				
19		Slash Pine	19.6				
			241.4		13	241.4	18.57
Plot 52				FLUCFCS: 4140			
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	26.8				

Oak Leaf
Specimen Tree Survey Data

Plot 52, continued							
2		Laurel Oak	15.2				
3		Laurel Oak	15.3				
4		Laurel Oak	13.8				
5		Laurel Oak	12.4	2			
6		Live Oak	17.7				
7		Slash Pine	27.2				
8		Slash Pine	27.3				
9		Live Oak	22.8				
10		Live Oak	15.1				
11		Laurel Oak	15.4				
12		Laurel Oak	14.9	2			
14		Live Oak	23.4				
15		Live Oak	21.6				
16		Laurel Oak	21				
17		Slash Pine	26.6				
18		Slash Pine	25.4				
19		Live Oak	14				
20		Live Oak	13.2				
21		Live Oak	12.4				
22		Live Oak	21.1				
			402.6		21	402.6	19.17
Plot 53			FLUCFCS: 4200				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Slash Pine	22.6				
2		Laurel Oak	37.4				
3		Laurel Oak	13.2				
4		Slash Pine	22.6				
5		Laurel Oak	14.2				
			110		5	110	22
Plot 54			FLUCFCS: 4250				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	21.6				
2		Laurel Oak	16.2				
3		Slash Pine	20				
4		Water Oak	13.2				
			71		4	71	17.75
Plot 55			FLUCFCS: 4200				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Water Oak	15.6	8			
2		Laurel Oak	15.1				
3		Live Oak	14.8				
4		Live Oak	17.7	2			

Oak Leaf
Specimen Tree Survey Data

Plot 55, continued							
5		Live Oak	20.5	2			
6		Water Oak	15.2	2			
			98.9		6	98.9	16.48
Plot 56			FLUCFCS: 4140				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	21				
2		Live Oak	24.1				
4		Slash Pine	19.3				
5		Slash Pine	22.6				
6		Slash Pine	22.1				
7		Live Oak	18.7				
8		Laurel Oak	14.2				
9		Laurel Oak	14.3				
10		Sweet Gum	15	2			
12		Laurel Oak	13.5				
13		Laurel Oak	12.7				
14		Laurel Oak	12.5				
15		Sweet Gum	15.6				
16		Live Oak	16.9				
			242.5		14	242.5	17.32
Plot 57			FLUCFCS: 6170				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		American Elm	14.5	6			
4		Red Maple	13.5	5			
5		Red Maple	13.1	6			
6		Red Maple	18.5	9			
8		Laurel Oak	15.5	7			
9		Sweet Gum	13	5			
10		Red Maple	16.6	12			
12		Red Maple	17.2	7			
13		Laurel Oak	14.9	3			
14		Red Maple	13.7	7			
			150.5		10	150.5	15.05
Plot 58			FLUCFCS: 6170				
Tree Number	Plot 58	Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
3		Laurel Oak	15.8	4			
6		Red Maple	13.5	8			
7		Red Maple	34.1				
8		Red Maple	20.2				
10		Laurel Oak	16	6			
11		Sweet Gum	12.5	5			

Oak Leaf
Specimen Tree Survey Data

Plot 58, continued							
12		Laurel Oak	13.9				
13		Laurel Oak	13.2				
16		Red Maple	16.4	8			
			155.6		9	155.6	17.3
Plot 59			FLUCFCS: 6170				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
			0				
			0		0		
Plot 60			FLUCFCS: 6170				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Live Oak	33.4				
			33.4		1	33.4	33.4
Plot 61			FLUCFCS: 6170				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
2		Laurel Oak	13.6	5			
3		Laurel Oak	20	11			
8		Laurel Oak	12.7	5			
10		Laurel Oak	26.7				
			106.4		4	106.4	26.6
Plot 62			FLUCFCS: 6170				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	21.7	10			
2		Red Maple	12.7	8			
3		Sweet Gum	12.4	5			
5		Laurel Oak	18.4	9			
			65.2		4	65.2	16.3
Plot 63			FLUCFCS: 6170				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
2		Laurel Oak	16.6	3			
4		Red Maple	13.7	10			

Oak Leaf
Specimen Tree Survey Data

Plot 63, continued							
5		Laurel Oak	12				
6		Laurel Oak	13.2	2			
			55.5		4	55.5	13.87
Plot 64			FLUCFCS: 6170				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Red Maple	18.2				
2		Red Maple	16.7				
3		Sweet Gum	13.8				
4		Laurel Oak	18.5				
5		Red Maple	14.8				
6		Laurel Oak	22.8				
7		Red Maple	13.9				
8		Laurel Oak	24.1				
9		Laurel Oak	17.6				
10		Laurel Oak	17.5				
11		Red Maple	24.8				
12		Laurel Oak	19.6				
13		Laurel Oak	15.4				
14		Laurel Oak	18.1				
15		Red Maple	16.5				
16		Sweet Gum	13.8				
17		Red Maple	12				
18		Laurel Oak	13.8				
19		Red Maple	17.5				
20		Laurel Oak	13				
21		Laurel Oak	12.6				
22		Laurel Oak	14.7				
			369.7		22	369.7	16.8
Plot 65			FLUCFCS: 6170				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	25.1				
2		Laurel Oak	19.5				
3		Laurel Oak	19.7				
4		Laurel Oak	18.7				
5		Sweet Gum	16.5				
6		Laurel Oak	12.8				
7		Laurel Oak	16.4				
8		Sweet Gum	12.3				
9		Red Maple	18.4	2			
10		Laurel Oak	22.6				
11		Laurel Oak	15.3				
12		Laurel Oak	13.2				
13		Red Maple	17.5				
14		Red Maple	16	2			
			244		14	244	17.4

Oak Leaf
Specimen Tree Survey Data

Plot 66			FLUCFCS: 6170				
	Historical Laurel Oak 37.4" west of plot						
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
2		Red Maple	16.9	15			
6		Red Maple	18.6				
7		Laurel Oak	44.8	(stressed)			
			80.3		3	80.3	26.76
Plot 67			FLUCFCS: 6170				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	12.1	2			
2		Red Maple	12.1	9			
6		Red Maple	12.5	7			
7		Red Maple	16.9	3			
8		Red Maple	21.3	5			
9		Laurel Oak	15.9				
10		Laurel Oak	13.4	5			
11		Laurel Oak	24.3				
12		Laurel Oak	37.8	2			
14		Laurel Oak	17	2			
15		Red Maple	19.2	2			
16		Red Maple	12.9	5			
			215.4		12	215.4	17.95
Plot 68			FLUCFCS: 6170/6410				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Red Maple	12.1	12			
3		Sweet Gum	12.8				
5		Red Maple	15.9				
6		Laurel Oak	15.4				
7		Red Maple	15.3				
8		Red Maple	24.1	4			
10		Red Maple	13.9	5			
11		Red Maple	12.5	4			
12		Red Maple	12.5	3			
			122.4		9	122.4	13.6
Plot 69			FLUCFCS: 6170/6410				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Live Oak	31.2	5			
2		Red Maple	28.8	4			
3		Red Maple	24.6	7			
4		Live Oak	19.3				

Oak Leaf
Specimen Tree Survey Data

Plot 69, continued							
5		Live Oak	20.2				
7		Red Maple	14.2	5			
8		American Elm	15.6	10			
			153.9		7	153.9	21.98
Plot 70			FLUCFCS: 6170/6410				
Tree Number		Species:	Size (inches)	Trunks (if multiple)	Total Trees	Total DBH	Avg DBH
1		Laurel Oak	12.6	3			
2		Laurel Oak	16.3	2			
3		Red Maple	12.8	4			
4		Red Maple	13.3	3			
5		Red Maple	15	4			
6		Laurel Oak	13.1				
7		Laurel Oak	14.2				
8		Red Maple	15	4			
			112.3		8	112.3	14.03

ATTACHMENT #1
OAK LEAF PRESERVE
MITIGATION CONSTRUCTION AND MONITORING COST ESTIMATE

<u>ITEM</u>	<u>TASK</u>	<u>COST</u>
1	Site Survey (includes site layout and grade	\$2,000.00
2	Clearing and Grubbing	\$64,000.00
3	Siltfence Installation	\$7,500.00
4	Earthwork	\$79,000.00
5	Planting	\$115,063.00
6	Consultation w/SJRWMD	\$500.00
7	Baseline Monitoring Data Collection	\$900.00
8	Preparation of Baseline Monitoring Report	\$2,025.00
9	Site Maintenance (quarterly for 5 years)	\$10,000.00
10	Preparation of Annual Reports (5)	\$14,500.00
SUBTOTAL		\$295,488.00
10% Guarantee (per SJRWMD)		\$29,548.80



NOTICE OF VIOLATION

Code Enforcement Division
1605 South Ridgewood Ave
Edgewater, Florida 32132
(386) 424-2400 Ext. 2210

codeenforcement@cityofedgewater.org



Date: September 25, 2025

Case Number: 25-00122853

OAK LEAF PRESERVE MASTER HOME0
1170 CELEBRATION BLVD STE 202
CELEBRATION, FL 34747

Violation Location: 2009 RED ROCK RD
Parcel ID: 7344-15-00-03AA
Property Owner: OAK LEAF PRESERVE
MASTER HOME0
Date of Violation(s): September 17, 2025

Violation(s) City of Edgewater Code of Ordinances:

21-55.02 TREE REMOVAL PERMIT

a. Standard Permits: A tree removal permit shall be required for trees of six inches (6") BH (diameter at breast height measured 4 feet from base of tree) or larger on all property within the City limits. Trees shall be defined by Section 21-20.02. Trees to be removed in this category will be required to be replaced if there are an insufficient number of trees left on the lot.

b. Replacement trees shall be a minimum of 2 inches in diameter measured 6 inches above the soil line or 10 feet in height above the soil line. An application for the permit is available in the Development Services Department. Fifty percent (50%) of replacement trees shall be specimen trees as identified in Section 21-55-06.

c. Historic Tree Permits: A tree so designated as historic per Section 21-55.05 shall only be removed by special permit granted by the City Council under Section 21-55.03 (b).

d. Specimen and Historic trees, regardless of location, shall only be removed upon the issuance of a tree removal permit.

CORRECTIVE ACTION: You must contact the Development Services Department and have a Tree Permit issued for any/all trees removed. Pay all applicable fines.

Violation(s) must be corrected BEFORE:

IMMEDIATELY

Code Enforcement Supervisor: Miron San Miguel | msanmiguel@cityofedgewater.org | 386-410-3771

Contact the code enforcement officer once the violation(s) has been corrected.

Failure to comply with this notice of violation and take corrective action will result in the issuance of a notice of hearing and a civil fine not to exceed \$500. Daily fines, not to exceed \$500 per day, may also be assessed.

Any future violation(s) of the same nature may result in the issuance of a notice of hearing and a civil fine not to exceed \$500. Daily fines, not to exceed \$500 per day, may also be assessed.

Saturday, September 20, 2025 at 9:28:02 AM Eastern Daylight Time

Subject: 2011 red rock rd
Date: Tuesday, September 9, 2025 at 08:12:45 Eastern Daylight Time
From: Jeff Lariscy
To: Miron San Miguel
Attachments: IMG_3096.heic

Report of a tree removed by HOA.

Also, Ryan indicated he changed the fines associated with tree removal without a permit. I have no idea what he is taking about but you need to look into the tree and the fee he indicated he changed.

Sent from my iPhone



Volusia County Property Appraiser

123 W. Indiana Ave., Rm. 102

DeLand, FL. 32720

Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 8023808

Parcel ID: 7344150003AA

OAK LEAF PRESERVE MASTER HOMEOWNERS RED ROCK RD, NEW SMYRNA BEACH, FL

Parcel Summary

Alternate Key:	8023808
Parcel ID:	7344150003AA
Township-Range-Section:	17 - 33 - 44
Subdivision-Block-Lot:	15 - 00 - 03AA
Owner(s):	OAK LEAF PRESERVE MASTER HOMEOWNERS - FS - Fee Simple ASSOCIATION INC - FS - Fee Simple - 100%
Mailing Address On File:	1170 CELEBRATION BLVD STE 202 CELEBRATION FL 34747 4604
Physical Address:	2009 RED ROCK RD, NEW SMYRNA BEACH 32168
Property Use:	0900 - RES COMMON ELEMENTS
Tax District:	604-EDGEWATER
2024 Final Millage Rate:	18.5435
Neighborhood:	4097
Subdivision Name:	OAK LEAF PRESERVE PHASE 3-A
Homestead Property:	No

AltKey: 8023808

Parcel ID: 7344150003AA

OAK LEAF PRESERVE MASTER HOMEOWNERS ASSOCIATION, INC. 11500 RED ROCK RD, NEW SMYRNA BEACH, FL 32909

Property Description

NOTE: This property description may be a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Volusia County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property descriptions found on this site.

44-17-33 TRACT 3A-A OAK LEAF PRESERVE PHASE 3-A MB 65 PGS 74-81 PER OR
8475 PG 3016



City of Edgewater
Affidavit of Service
NOTICE OF VIOLATION



Case No. 25-122853

Address/Location of Violation 2009 RED ROCK RD
Edgewater, Florida

Pursuant to Florida Statute 162.12(1)(a)-(d), the Notice of Violation was hand delivered and posted by:

☐ Hand delivery by the sheriff or other law enforcement officer, code inspector, or other person designated by the local governing body;

☐ Leaving the notice at the violator's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice;

☒ In the case of commercial premises, leaving the notice with the manager or other person in charge.

Date: 9/25/25

☒ Certified mail, and at the option of the local government return receipt requested, to the address listed in the tax collector's office for tax notices or to the address listed in the county property appraiser's database. The local government may also provide an additional notice to any other address it may find for the property owner.

In addition to the aforementioned the notice has been posted at:

☒ Pursuant to Florida Statute 162.12(2)(b)(1), a copy of the citation / notice of hearing was properly posted at least ten days prior to the expiration of any deadline or hearing;

☐ On the real property listed above upon which the alleged violation exists;

☒ City Hall, 104 North Riverside Drive, Edgewater, Florida.

Date: 9/25/25

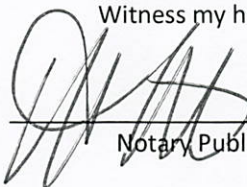
Miron San Miguel

Print Name / Signature / Date

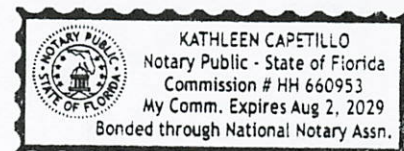
 9/25/25

I, Kathleen Capetillo, a Notary Public of Volusia County within the State of Florida, hereby certify that Miron San Miguel, who is personally known to me, who, after being duly sworn, did thereupon say that the information contained in the foregoing affidavit is true.

Witness my hand and official seal dated: September 25, 2025


Notary Public

SEAL





City of Edgewater
Affidavit of Service
Citation / Notice of Hearing



Case No. 25-122853

Address/Location of Violation 2009 RED ROCK RD
Edgewater, Florida

Pursuant to Florida Statute 162.12(1)(a)-(d), the Citation/Notice of Hearing was hand delivered and posted by:

- ☐ Hand delivery by the sheriff or other law enforcement officer, code inspector, or other person designated by the local governing body;
- ☐ Leaving the notice at the violator's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice;
- ☒ In the case of commercial premises, leaving the notice with the manager or other person in charge.

Date: 9/25/25

☒ Certified mail, and at the option of the local government return receipt requested, to the address listed in the tax collector's office for tax notices or to the address listed in the county property appraiser's database. The local government may also provide an additional notice to any other address it may find for the property owner.

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☐ On the real property listed above upon which the alleged violation exists;

☒ City Hall, 104 North Riverside Drive, Edgewater, Florida.

Date: 9/25/25

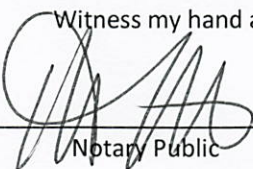
Miron San Miguel

Print Name / Signature / Date

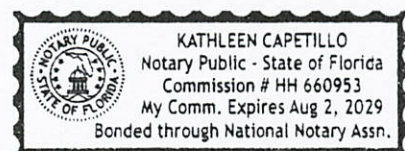
 9/25/25

I, Kathleen Capetillo, a Notary Public of Volusia County within the State of Florida, hereby certify that Miron San Miguel, who is personally known to me, who, after being duly sworn, did thereupon say that the information contained in the foregoing affidavit is true.

Witness my hand and official seal dated: September 25, 2025


Notary Public

SEAL





CITY OF EDGEWATER

CODE ENFORCEMENT

CITATION # **0032**

25-122853

[Handwritten signature]

CITY OF EDGEWATER
CODE ENFORCEMENT DIVISION
1605 S. Ridgewood Ave.
Edgewater, FL 32132-0100

CERTIFIED MAIL®



9589 0710 5270 0402 0414 24

Oak Leaf Preserve Master Homeowners
(25-122853 MSM) Code Enf.
1170 Celebration Blvd Ste 202
Celebration, FL 34747