



PLANNING AND ARCHITECTURAL REVIEW BOARD MEETING AGENDA

Tuesday, October 01, 2024 at 5:30 PM

City Commission Chambers – 105 S. 2ND Street, Flagler Beach, FL 32136

AMENDED AGENDA

ALL MEETING ITEMS WILL BE CONTINUED UNTIL MEETING IS COMPLETE.

1. **Call the meeting to order**
2. **Pledge of Allegiance**
3. **Roll Call / Determination of Quorum**
4. **Approval of Meeting Minutes**
 - a. September 3, 2024
5. **Deletions and changes to the agenda**
6. **Old Business**
 - a. Application OE-24-09-01 Request for Annual Outdoor Entertainment Permit - The Cajun Beach - 1112 S. Ocean Shore Boulevard - Applicant - Patrick McKinney.
7. **New Business - NONE**
8. **Other Business**
 - a. Board Discussion regarding Commissioner comments from the July 25, 2024 Regular Commission Meeting questioning the calculation of parking spaces relating to affixed vs unaffixed seating and that unaffixed seats are not counted as a part of the parking calculations. The Commissioner comments expressed concern of a need for an amendment to the Land Development Code.
9. **City Planner Report**
 - a. Discussion with Board to determine interest in transitioning to digital agenda packets via tablet computers in the future.
 - b. Gridics Update
10. **Board Comments**
11. **Adjournment**

RECORD REQUIRED TO APPEAL: In accordance with Florida Statute 286.0105 if you should decide to appeal any decision the Commission makes about any matter at this meeting, you will need a record of the proceedings. You are responsible for providing this record. You may hire a court reporter to make a verbatim transcript. The City is not responsible for any mechanical failure of the recording equipment. In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk at (386) 517-2000 ext 233 at least 72 hours prior to the meeting. The City Commission reserves the right to request that all written material be on file with the City Clerk when the agenda item is submitted.



PLANNING AND ARCHITECTURAL REVIEW BOARD MEETING MINUTES

Tuesday, September 03, 2024 at 5:30 PM

City Commission Chambers – 105 S. 2ND Street, Flagler Beach, FL 32136

ALL MEETING ITEMS WILL BE CONTINUED UNTIL MEETING IS COMPLETE.

1. Call the meeting to order

Chairman Joseph Pozzuoli called the meeting to order at 5:30pm.

2. Pledge of Allegiance

Lisa Smith led the Pledge of Allegiance.

3. Roll Call / Determination of Quorum

Present: Chairman Joseph Pozzuoli, Vice-Chairman Marshall Shupe, Brenda Wotherspoon, Lisa Smith, Joann Soman, Scott Chappuis, Paul Chestnut

Absent: None

Staff Present: City Attorney Drew Smith, City Planner Lupita McClenning, City Clerk Penny Overstreet and Secretary Michele Ficocello

4. Approval of Meeting Minutes

a. August 6, 2024

Joann Soman indicated on page 5 and page 6 that the verbiage "made a motion to approve" is incorrect and should be changed to "made a motion to recommend approval." Joann Soman made a motion to approve meeting minutes as amended. Brenda Wotherspoon seconded. Motion passed unanimously.

5. Deletions and changes to the agenda

Agenda item 7c. was moved before item 7a.

6. Old Business - NONE

7. New Business

a. Ordinance 2024-20: An Ordinance of the City of Flagler Beach, Florida, amending the Comprehensive Plan to add a Property Rights Element; providing for conflicts, severability, and an effective date.

City Attorney presented item. There were no comments from the Board. There were no comments from the public. Joann Soman made a motion to recommend approval. Vice-Chairman Marshall Shupe seconded. Motion passed unanimously.

b. Application OE-24-09-01 Request for Annual Outdoor Entertainment Permit - The Cajun Beach -1112 S. Ocean Shore Boulevard - Applicant - Patrick McKinney.

Brenda Wotherspoon stated her voting conflict for the record, provided a Form 8B and excused herself from the dais. City Clerk Penny Overstreet presented the item. City Clerk provided aerial photographs to the Board for a parking requirement overview. The applicant was not present. The City Clerk stated the applicant was mailed notification which was returned and the Deputy Clerk spoke to the applicant in person last Friday confirming application was on the agenda for today's meeting. Discussion ensued on whether or not to table item due to the applicant's absence. Joann Soman made a motion to table the item. Vice-Chairman Marshall Shupe seconded. Motion passed unanimously. Brenda Wotherspoon returned to the dais and inquired if the applicant were to show up, would the item be heard as members of the public had shown up to speak. Discussion ensued. It was determined, by the will of the Board, to table the item until the next meeting.

- c. **Application PFS24-0002:** Conceptual Site Development Plan - The proposed project will consist of an expansion of the existing parking lot, construction of a new clubhouse and re-grading of the existing Ocean Palms Golf Course.

Parcel ID No.: 29-12-32-0000-01010-0000 & 29-12-32-0000-01010-0010

Zoning District: REC (Recreation) & MDR (Medium Density Residential)

FLUM: Golf Course & High Density

Owner: City of Flagler Beach (Dale Martin, City Manager)

Applicant: Jeff Ryan (Owner), 12 Bishop Lane, Palm Coast, FL 32137; Regina Brachna, Representative
City Planner Lupita McClenning presented the item along with a power point presentation. City Planner stated Staff recommends approval of application. Board comments began and discussion ensued. Board discussion included habitable spaces, parking, use of sidewalk in regards to FDOT letter, increase in number of playing holes, elevation, drainage, clubhouse location, hours of operation, event space and zoning. Chairman Joseph Pozzuoli asked the applicant to come forward and speak. Applicant stated name, Jeff Ryan, for the record. Applicant spoke and provided responses to the Board's comments. Public comment was opened. Ken Bryan, 406 Palm Drive, spoke. Public comment included lease with City. Public comment was closed. No formal action required for a conceptual site plan application.

- d. **Application PAN24-0002:** Application for Voluntary Annexation

Parcel ID No.: Multiple parcels +/- 899 acres

Zoning District: Existing Planned Unit Development (PUD), Unincorporated Flagler County

FLUM: Existing Planned Unit Development (PUD), Unincorporated Flagler County

Owner: Palm Coast Intracoastal, LLC, Veranda Bay Investments, LLC, Highway 100 Commercial, LLC

Applicant: Palm Coast Intracoastal, LLC, Veranda Bay Investments, LLC, Highway 100 Commercial, LLC

Representative: Michael D. Chiumento III, Esq., Chiumento Law

The City Attorney gave an overview of next agenda items 7d., 7e., 7f., 7g., 7h. and 7i. as they are all connected. Representatives from the Flagler County Government were present and gave a presentation. A power point presentation was provided to the Board and displayed for the public. Sean Moylan, Deputy County Attorney on behalf of the Flagler County Board of Commissioners, gave a presentation before the Board. Adam Mengal, Flagler County Growth Management Director, was also in attendance. Flagler County is not opposed to the annexation, but did put forth some concerns and/or ideas for consideration including wetland buffers, buffers along John Anderson Highway, John Anderson Highway being made into a City road, access to State Road

100, fire station site, public access to Bulow Creek, Mosquito Control District helipad, no wells on residential parcels, commercial lands remain commercial, building height limits, wastewater capacity and school district notification. City Planner Lupita McClenning provided a power point presentation. Staff made recommendation to approve the application for voluntary annexation. Representative for applicant, Michael Chiumento, gave an overall power point presentation to include agenda items 7d., 7f. and 7h. The representative for all applicants, Ken Belshe, provided a power point presentation to include agenda items 7d., 7f. and 7h. Board comments opened and included the golf course no longer being an option, public safety, impact fees, how the development will be paid for, who is responsible for maintenance of infrastructure, clearing land by way of burning, transportation safety concerns at Colbert Lane, Community Development District (CDD) definition, landscape/maintenance easement for Colbert Lane connector road, making John Anderson Highway pedestrian friendly and density/intensity of PUD.

A member of the public spoke out asking about signage to announce annexation. The City Attorney addressed the concern stating, per the City's Code, the City is not required to post signs.

City Planner Lupita McClenning presented a power point presentation on agenda items 7d., 7f. and 7h. The City Engineer provided a document to the Board outlining impacts to infrastructure and capacity. The City Planner expressed concerns over impacts to the City's infrastructure, capacity, exemptions from section four of the land development code, vested property rights as it relates to zoning and public facilities which will need to be addressed.

City Attorney summarized the concerns on agenda items 7d., 7f. and 7h. as follows; Bulow Creek buffer concerns raised by Flagler County, environmental concerns where waivers are being given, transportation, fire station site, Mosquito Control site, City Code exemptions, no wells on residential properties, refining exhibit G, engineering concerns, water/wastewater capacity, school capacity, using burning to clear land, transportation as it relates to accident data, are the Community Development District (CDD) provisions specific enough and when to trigger the construction of a spine road as development is phased in.

Public comment was opened for agenda item 7d. Ken Bryan, 406 Palm Drive, spoke and comments included the annexation being good for the City, concerns over burning and access from development to Palm Drive. Marjorie Morehouse, 418 Palm Drive, spoke and comments included competition with Palm Coast for this annexation. Carol Caposa, Joyce Street, spoke and comments included not being able to visualize commercial development portion and does not think it will fit. No further public comments received.

Motion to recommend approval of application PAN24-0002 and Ordinance 2024-17 made by Lisa Smith. Seconded by Joann Soman.

Roll Call: Paul Chestnut: Yea, Brenda Wotherspoon: Yea, Vice-Chairman Marshall Shupe: Yea, Chairman Joseph Pozzuoli: Yea, Lisa Smith: Yea, Joann Soman: Yea, Scott Chappuis: Yea

Motion passed unanimously.

- e. **Ordinance 2024-17:** An Ordinance of the City Commission of the City of Flagler Beach, Florida, to annex property to be included within the corporate area and City Limits of the City of Flagler Beach; providing for the annexation of approximately 899.09 acres of property described in Exhibit "A" to this ordinance and lying in the areas proximate to the existing City Limits of the City of Flagler Beach, Flagler County, Florida; providing for annexation in accordance with the voluntary annexation provisions of Section 171.044, Florida Statutes; providing for annexation of real property/amendment of corporate/city limits; providing for rights and privileges resulting from annexation upon land uses; providing for effect on Ad Valorem taxes; providing for effect on businesses and occupations; providing for effect on businesses and occupations; providing for conflicts, severability and an effective date.

See item 7d.

- f. **Application PFLUMA-0001:** Application to amend the Future Land Use Map and Comprehensive Plan
Parcel ID No.: Multiple parcels +/- 899 acres
FLUM: Existing Planned Unit Development (PUD), Unincorporated Flagler County
Proposed FLUM: Low Density Residential (LDR) and General Commercial (GC), City of Flagler Beach
Owner: Palm Coast Intracoastal, LLC, Veranda Bay Investments, LLC, Highway 100 Commercial, LLC
Applicant: Palm Coast Intracoastal, LLC, Veranda Bay Investments, LLC, Highway 100 Commercial, LLC
Representative: Michael D. Chiumento III, Esq., Chiumento Law
- After presentations, staff reports and Board comments, public comment was opened. Theresa Supa, 420 Palm Drive, spoke and comments included preserving greenspaces. No further public comments received.
- Motion to recommend approval of application PFLUMA24-0001 and Ordinance 2024-19 made by Vice-Chairman Marshall Shupe. Seconded by Joann Soman.
- Roll Call: Brenda Wotherspoon: Yea, Vice-Chairman Marshall Shupe: Yea, Lisa Smith: Yea, Joann Soman: Yea, Scott Chappuis: Yea, Paul Chestnut: Yea, Chairman Joseph Pozzuoli: Yea
- Motion passed unanimously.

- g. **Ordinance 2024-19:** An Ordinance of the City Commission of the City of Flagler Beach, Florida, amending the Comprehensive Plan Future Land Use Map designation for approximately 899.09 acres of certain real property; providing for severability; providing for conflicts; and providing for an effective date.

See item 7f.

- h. **Application PRZ24-0002:** Application for Master Planned Development District (MPD)
Parcel ID No.: Multiple parcels +/- 899 acres
Zoning District: Existing Planned Unit Development (PUD), Unincorporated Flagler County
Proposed Zoning District: Master Planned Development District (MPD), City of Flagler Beach
Owner: Palm Coast Intracoastal, LLC, Veranda Bay Investments, LLC, Highway 100 Commercial, LLC
Applicant: Palm Coast Intracoastal, LLC, Veranda Bay Investments, LLC, Highway 100 Commercial, LLC
Representative: Michael D. Chiumento III, Esq., Chiumento Law
- City Attorney clarified City Staff did not make a recommendation for the Board to recommend approval of this agenda item due to the concerns outlined in item 7d. Discussion ensued to include the applicant and City Staff coming back to the table to discuss concerns of impacts to infrastructure, utilities and burning. The applicant expressed willingness to work with City Staff. Jody Sisk with Atlantic Ecological Services spoke about wetland buffers. The City Planner quoted the letter provided by the City Engineer. The City Planner's recommendation is to address the concerns and come to terms with the developer on demands placed on the City's infrastructure along with verbiage in the Master Plan Development Agreement. The City Planner advised a technical review with key City Staff to address concerns.
- Board comments included a path forward and discussion ensued. Comments included the City Planner and City Attorney to address concerns with the developer.

Joann Soman made a motion to recommend approval of application PRZ24-0002 and Ordinance 2024-18 dependent upon the City Planner and other key City Staff addressing concerns raised during the discussion and summarized by the City Attorney in agenda item 7d. Motion seconded by Lisa Smith.

Roll Call: Vice-Chairman Marshall Shupe: Yea, Lisa Smith: Yea, Joann Soman: Yea, Scott Chappuis: Yea, Paul Chestnut: Yea, Brenda Wotherspoon: Yea, Chairman Joseph Pozzuoli: Yea

Motion passed unanimously.

- i. **Ordinance 2024-18:** An Ordinance of the City Commission of the City of Flagler Beach, Florida, amending the Official Zoning Map designation for approximately 899.09 acres of certain real property; providing for severability; providing for conflicts; and providing for an effective date.

See item 7h.

8. Other Business

None

9. City Planner Report

City Planner Lupita McClenning provided an update on the Gridics Software.

10. Board Comments

None

11. Adjournment

Joann Soman made a motion to adjourn the meeting. Motion seconded by Brenda Wotherspoon.

Chairman Pozzuoli adjourned the meeting at 8:16pm.



City of Flagler Beach

800 South Daytona Avenue
Flagler Beach, Florida 32136
Phone 386-517-2000 Ext. 230
Cell 386-276-1007

Office of the City Engineer

September 3, 2024

Subject: Water and Waste-water capacity

Lupita McClenning:

After reviewing our Consumptive User permit from St. Johns River Water Management District, we have a maximum daily allowance of 0.912 MGD. This has been reduced by 10% since the city has had more than 10% of unaccounted water in 2019. Based on our latest reports from Jim Ramer, we are averaging 0.610 MGD for the month of August. This gives the City of Flagler beach the ability to increase our use approximately 23% before we will be required to apply for a new Consumptive use permit. Keep in mind, this does not tank into account any committed flows, already permitted, but not completed yet. The current water plant has a maximum design capacity of 1.5 MGD. In order to set our water plant up for future growth, we will need to start acquiring property for new wells and begin discussions with SJRWMD to increase our consumptive use permit. We have acquired well sites #17 and #18, however wells #10 and #11 may be approaching the end of their useful life, therefore the new wells may not provide the city with additional capacity. We will then need to plan for increasing the capacity of our water treatment plant to at least 2.0 MGD.

The Waste Water Treatment plant currently has a design capacity of 1.0 MGD. We are currently in design, to replace the existing WWTP. The new WWTP will increase our design capacity from 1.0 MGD to 1.5 MGD, with the ability to expand it to 2.0 MGD in the future, if needed. If the city of Flagler Beach intends to grow beyond the 2.0 MGD design capacity, we may need to make sure we have the room for additional expansion at the existing site.

Sincerely,

William Freeman

William H. Freeman, P.E.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME WITHERSPOON BRENDA KAY		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE PAR Board
MAILING ADDRESS BWITHERSPOON @ BellSouth.net		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY Flagler Beach	COUNTY Flagler	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Brenda Witherspoon, hereby disclose that on Sept. 3, 2024:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Live within 260 feet of business.

Sept. 3, 2024
Brenda Witherspoon
Date Filed

Brenda Witherspoon
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



STAFF REPORT

Planning & Architectural Review Board

September 03, 2024

To: Planning & Architectural Review Board

From: Penny Overstreet, City Clerk

Date: September 03, 2024

Item Name: Application OE-24-09-01- 1112 S. Ocean Shore Blvd. - Outdoor Entertainment Permit, The Cajun Beach, FloJun, LLC

Background:

Applicant: The Cajun Beach, FloJun, LLC., 1112 S. Ocean Shore Blvd., Flagler Beach, Florida 32136. The subject property is zoned General Commercial G.C. The applicant is seeking approval of an Annual Outdoor Entertainment Permit to allow amplified and non-amplified events consisting of music, spoken word and/or other forms of entertainment. Section 4-167, Review of Permit Application states, the City Commission, after receiving recommendation from the Planning and Architectural Review Board (PARB), shall approve, approve with conditions, or deny a permit for outdoor entertainment activity based on any of the following grounds:

- (1) The activity would present an adverse impact to the health, safety or welfare of the applicant, participants, public employees or members of the public and/or fails to protect the city's environment.
- (2) The activity would unreasonably inconvenience the general public.
- (3) The proposed activity is prohibited by or inconsistent with the Flagler Beach Code of Ordinances or the Flagler Beach Comprehensive Plan.
- (4) The applicant cannot meet, or is unwilling to meet, all of the requirements of this article.
- (5) The activity is proposed for a site that does not have adequate parking to accommodate the activity.
- (6) The activity is proposed for a site that is inherently hazardous to the participants or the public.
- (7) The event would have an adverse effect, and would unreasonably infringe upon, the rights of property owners within two hundred (200) feet of the property line of the subject property.
- (8) The event would conflict with another proximate event or interfere with construction or maintenance work.
- (9) The information furnished in the application is not materially complete and accurate.
- (10) The applicant has violated a provision, restriction or condition of this article or an outdoor entertainment activity permit issued to the applicant within the past and has not presented competent substantial evidence that measures to prevent future violations will be implemented at the property.

- (11)The requirements identified by the city staff to ensure public health, safety and welfare have not been met.
- (12)The comments and/or recommendations of the planning and architectural review board have not been addressed.
- (13)The proposed event or activity is prohibited by federal, state, or local regulations.
- (14)Other issues in the public interest as identified by the city commission.

In making a determination to approve a permit the PARB may recommend, or the city commission may limit the type and number of temporary structures and the duration of the activity including the hours and the number of days of the activity conducted to minimize any adverse impact caused by the activity.

Noise Complaints from previous business: It should be clearly understood, the noise complaints against the previous business cannot be used to base your recommendation on this current application, but for purposes of understanding they are included.

Fiscal Impact: N/A

Staff Recommendation: Consider the fourteen criteria and provide recommendation to approve, approve with conditions or deny. If denying cite the criteria your decision is based upon.

Attachments: Application, letter to applicant, letter to surrounding properties within 200 feet of the subject property, list of properties notification letter was mailed, aerial of site, site plan, and Noise Complaints from previous business.

OFFICE USE ONLY:

DATE REC'D 8-3-24

FEE REC'D \$ _____

INITIALS: P.O.

APPROVED

DISAPPROVED

SENT PARB

PERMIT ISSUED _____

INSTRUCTIONS:
Please print or type all information.
 The application must be filled out accurately and completely. Answer all questions. Do not leave an item blank. If an item does not apply, write N/A (not applicable). Incomplete applications may delay your request. All statements made on the application are subject to verification.

City of Flagler Beach
 APPLICATION FOR
 OUTDOOR ENTERTAINMENT



105 South 2nd Street,
 Post Office Box 70
 Flagler Beach, Florida 32136
 Phone (386) 517-2000 Fax (386) 517-2008

**Please type or print legibly
 Required Information**

Business Name: The Cajun Beach FlaJun LLC

Contact Person: Patrick McKinney

Address: 1112 S. Ocean Shore Blvd.

City: Flagler Beach State: FL Zip: 32136

Work Phone: _____ Home Phone: 386-338-3430

Fax: _____ Mobile Phone: 386-344-2983

E-Mail Address: Patrick@thecajunbeach.com

What type of permit are you applying for? (check one)

Annual Permit (permit fee = \$150.00)

Per event that occurs fewer than 12 times a year (permit fee = \$75.00)
 (Please list dates and times for the events on the bottom of page 2)

One day event on Date _____ (permit fee = \$50.00)
 Start time _____ am/pm End time _____ am/pm

Will you utilize temporary structures at your event? No Yes
 If yes, attach a sketch of the site showing the location of these structure and see note below)
 (Indicate number of each)

 Stages Scaffolding Fences Other


 Tents Do any of the tents exceed 200 square feet? No Yes
Note: Special Permits are required for tents exceeding 200 square feet. Special Building permits are required for temporary structures 700 or more square feet in area and those that are four feet above grade.

Does the establishment have adequate parking? No Yes
 Attach a sketch of the site showing the location and number of current spaces. If No how do you propose to provide parking? Attach additional statement if necessary.)

PLEASE ATTACH A SITE PLAN REGARDING THE SET UP OF THE OUTDOOR ENTERTAINMENT. PLEASE ATTACH A CURRENT COPY OF YOUR LIABILITY INSURANCE TO THIS APPLICATION.

By signing below I understand:

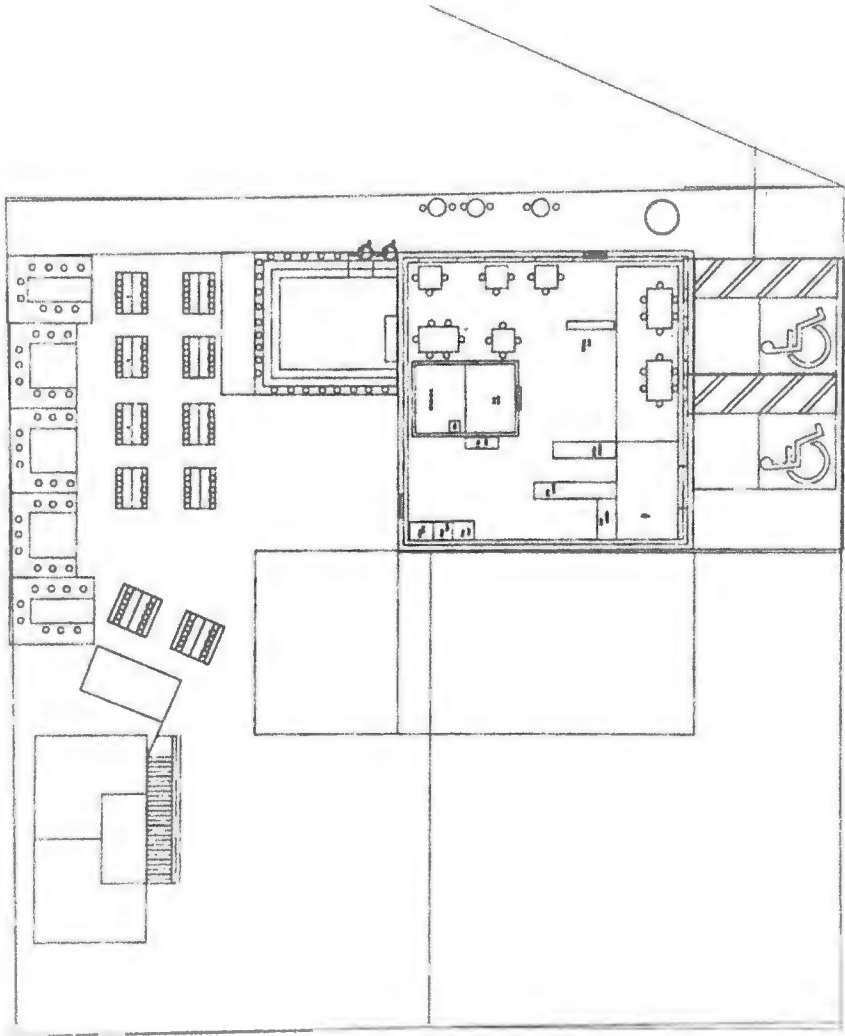
- This is an application only and does not obligate the City in any fashion to issuing a permit or approve an event.
- I have included my application fee and understand that my application will not be processed without the application fee.
- In no case shall the City's Noise Ordinance be violated.
- The City Commission may reasonably limit the type and number of temporary structures and the duration of the activity including the hours and the number of days of the activity conducted.
- The event(s) may not be held until a permit is received.

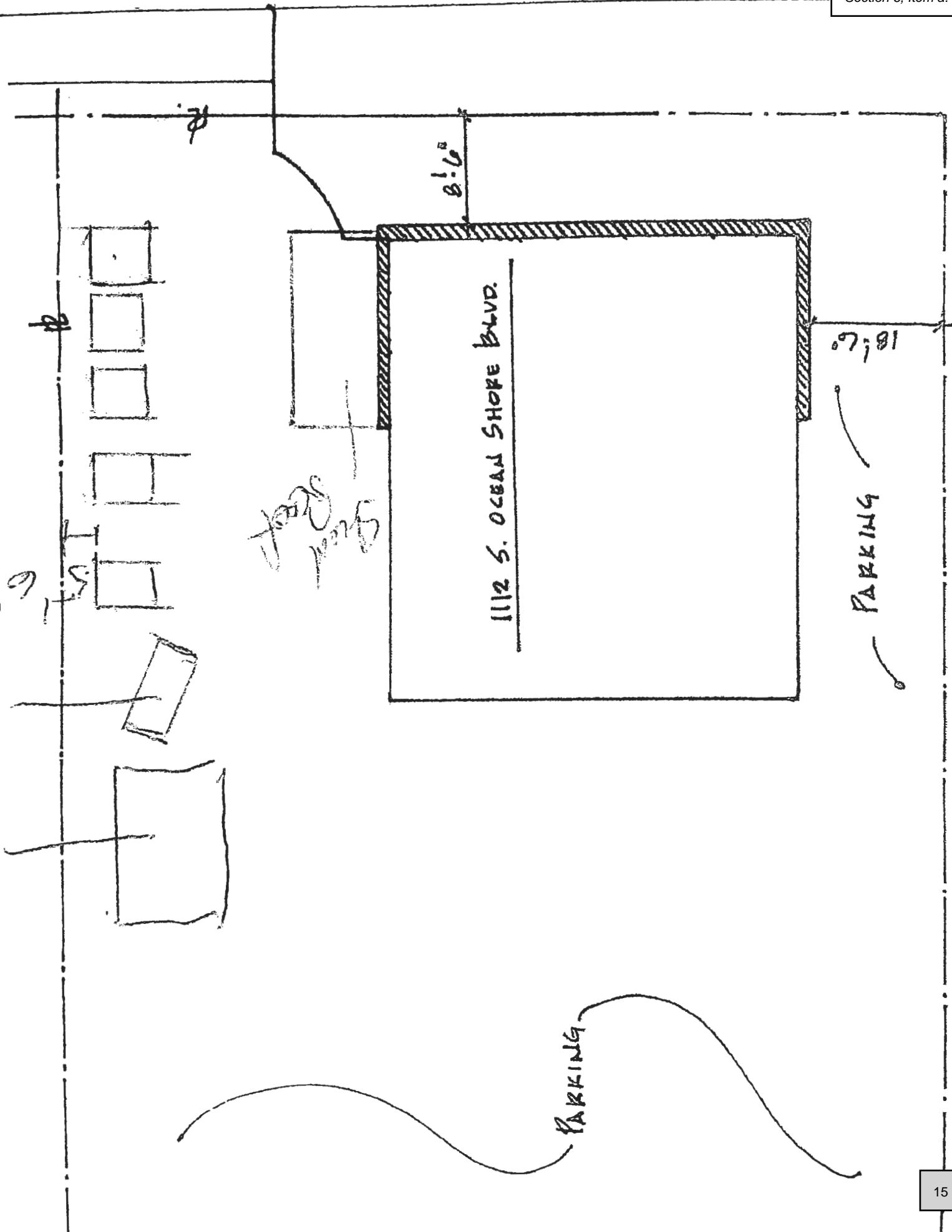
Signature of Applicant  Date 8/2/2024

Title of Applicant owner

Affiliation owner

1. Date _____	Start time _____ am\pm	End time _____ am\pm
2. Date _____	Start time _____ am\pm	End time _____ am\pm
3. Date _____	Start time _____ am\pm	End time _____ am\pm
4. Date _____	Start time _____ am\pm	End time _____ am\pm
5. Date _____	Start time _____ am\pm	End time _____ am\pm
6. Date _____	Start time _____ am\pm	End time _____ am\pm
7. Date _____	Start time _____ am\pm	End time _____ am\pm
8. Date _____	Start time _____ am\pm	End time _____ am\pm
9. Date _____	Start time _____ am\pm	End time _____ am\pm
10. Date _____	Start time _____ am\pm	End time _____ am\pm
11. Date _____	Start time _____ am\pm	End time _____ am\pm
12. Date _____	Start time _____ am\pm	End time _____ am\pm







City of Flagler Beach

P.O. Box 70 • 105 South 2nd Street
Flagler Beach, Florida 32126

Phone (386) 517-2000 • Fax (386) 517-2008

August 15, 2023

Patrick McKinney
1112 S. Ocean Shore Boulevard
Flagler Beach, Florida 32136

RE: Outdoor Entertainment Application

Dear Mr. McKinney

This letter is to advise you the Planning and Architectural Review Board will hear your request for an Outdoor Entertainment Permit on September 3, 2024 at 5:30 p.m. The City Commission will hear the Planning Board’s recommendation and the final decision will be made at their September 12, 2024 meeting, which begins at 5:30 p.m. I have enclosed a copy of the letter that has been mailed to the businesses and residents within 200 feet of your location. Should you have concerns or questions please contact me at poverstreet@cityofflaglerbeach.com or 386-517-2000 ext. 233.

Sincerely,

A handwritten signature in blue ink, appearing to read "Penny Overstreet", is written over a faint, light blue circular watermark or background.

Penny Overstreet
City Clerk

CC: Lupita McClenning, Planner
Planning & Architectural Review Board
Elected Officials
Dale L. Martin, City Manager



City of Flagler Beach

P.O. Box 70 • 105 South 2nd Street
Flagler Beach, Florida 32126

Phone (386) 517-2000 • Fax (386) 517-2008

August 20, 2024

RE: Outdoor Entertainment Permit Application Review

Dear Sir or Madam:

The purpose of this letter is to advise you, the City is in receipt of a request from “The Cajun Beach FloJun, LLC”, located at 1112 S. Ocean Shore Blvd., requesting an Annual Outdoor Entertainment Permit. Per Ordinance 2010-02 the office of the City Clerk is required to notify property owners in a two-hundred-foot radius of the subject property of the meeting dates and times the request will be reviewed by the Planning & Architectural Review Board and the date the City Commission will have final review. The Planning & Architectural Review Board will review the request on September 3, 2024; meeting begins at 5:30 p.m. The request will be before the City Commission for consideration on September 12, 2024; meeting begins at 5:30 p.m. The intent of this notice is to provide to you the opportunity to appear at the meeting(s) to voice your concerns or approval of the requested activity. Should you have any questions please contact the Planning & Zoning Office at 386-517-2000 ext. 231 or the City Clerk’s Office at 386-517-2000 ext. 233 if you wish to view the application.

Sincerely,

A handwritten signature in blue ink, appearing to read "Penny Overstreet", is written over a light blue rectangular background.

Penny Overstreet
City Clerk

- CC: Dale L. Martin, City Manager
- Lupita McClenning, Planner
- Elected Officials
- PARB Members
- Patrick McKinney, Applicant

FLAGLER COUNTY PROPERTY APPRAISER



Overview



Legend

- Parcels
- Roads
- Streams and Rivers

Date created: 8/20/2024
Last Data Uploaded: 8/20/2024 8:28:25 AM

Developed by  Schneider
GEO SPATIAL

A1A OCEANSHORE LLC
5 ST ANDREW COURT
PALM COAST, FL 32164

ANNIS BETTY H
2826 MONDAUI DR
ROCKLEDGE, FL 32955

BACK SHARON M
TRUSTEE
PO BOX 1375
FLAGLER BEACH, FL 32136

BCC PROPERTIES LLC
PO BOX 418
FLAGLER BEACH, FL 32136

BURBRINK LYNDA BAND
JOSEPH R BURBRINK JTWROS
PO BOX 695
FLAGLER BEACH, FL 32136

CITY OF FLAGLER BEACH
P O BOX 70
FLAGLER BEACH, FL 32136

CITY OF FLAGLER BEACH
PO BOX 70
FLAGLER BEACH, FL 32136

EGGERT IRIS CLAXTON
LIFE ESTATE C/O LIZ RUBEIS
2563 SW 87TH DR STE 10
GAINESVILLE, FL 32608

EZRIN ALVIN & DENISE ANNE CORNWA
1203 S CENTRAL AVENUE
FLAGLER BEACH, FL 32136

GOLDEN MAGNOLIA MARINE INC
1272 PALM COAST PKWY SW
PALM COAST, FL 32137

HARRELL MICHELLE & REBECCA
LYNNE JUSTICE & KRISTINA FOSTER TI
106 BARRINGTON COURT
FLETCHER, NC 28732

HODOVANCE DEREK
& HEATHER RAE H&W
112 S 11TH STREET
FLAGLER BEACH, FL 32136

JAI HANUMAAN LLC
1224 S OCEANSHORE BLVD
FLAGLER BEACH, FL 32136

MONTGOMERY CALVIN & BRENDA K
LIFE ESTATE
12499 OLIVE TRAIL
PLYMOUTH, IN 46563

OCEANSIDE COTTAGES LLC
1204 S OCEANSHORE BLVD
FLAGLER BEACH, FL 32136

SEAGROVE BEACH INVESTMENTS LLC
2574 S OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
108 12TH ST S
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
109 11TH ST S
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
109 12TH ST S
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
1104 S OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
1109 S CENTRAL AVE
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
111 12TH ST S
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
1112 S OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
1115 CENTRAL AVE S
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
112 11TH ST S
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
113 11TH ST S
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
1201 S CENTRAL AVE
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
1203 S CENTRAL AVE
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
1204 S OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
1224 S OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136



Incident Report

Print Date/Time: 07/09/2024 11:58
 Login ID: sbuttner

Flagler Beach Police Department
 ORI Number: FL0180200

Incident: 2023-00023132

Incident Date/Time: 10/19/2023 3:34:46 PM
 Location: 1112 S OCEAN SHORE BLVD
 Flagler Beach FL 32136
 Phone Number: (386)864-2199
 Report Required: No
 Prior Hazards: No
 LE Case Number:

Incident Type: Noise Complaint
 Venue: Flagler Beach
 Source: Phone
 Priority: Code 1
 Status: Investigate
 Nature of Call:

Unit/Personnel

Unit	Personnel
BE11	7069-Jones
BE12	7073-Sylvester

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Caller	GARANITT, MAXIN		(386)864-2199			

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count	Date/Time
Unit: BE11		
Disposition	Count	Date/Time
AT9	1	10/19/2023 16:42
Unit: BE12		
Disposition	Count	Date/Time
AT1	1	10/19/2023 16:31

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Incident Number: 2023-00023132. ORI: FL0180200.

CAD Narrative

10/19/2023 : 16:42:36 kjones Narrative: did not respond

10/19/2023 : 16:30:55 tsylvester Narrative: Upon arrival the music was not loud what so ever. I could barely hear it from the side walk over the motorcycles and passing traffic. I was unable to get a clear reading on the DB reader due to the traffic. the meter kept spiking up to 95 and then down to 73. Unable to make a determination of the business is in violation or not. Axon

10/19/2023 : 15:35:27 flagso\teddy Narrative: AND ITS JUST TOO LOUD NOW

10/19/2023 : 15:35:23 flagso\teddy Narrative: THERE WAS AN AGREEMENT WITH RP AND THE CAJON CRAB

10/19/2023 : 15:35:13 flagso\teddy Narrative: AND THEY ARE LOOSING GUESTS BECAUSE OF IT

10/19/2023 : 15:35:04 flagso\teddy Narrative: HAS NEIGHBORS THAT PLAY MUSIC VERY LOUD

10/19/2023 : 15:34:58 flagso\teddy Narrative: RP IS OWNER OF GOLDEN MAGNOLIA RESORT

Cajun
(AKA Jimmy's
Hang 10)



Incident Report

Print Date/Time: 07/09/2024 11:57
Login ID: sbuttner

Flagler Beach Police Department
ORI Number: FL0180200

Incident: 2023-00023263

Incident Date/Time:	10/21/2023 4:21:44 PM	Incident Type:	Noise Complaint
Location:	113 11TH ST S Flagler Beach FL 32136	Venue:	Flagler Beach
Phone Number:	(574)780-3931	Source:	Phone
Report Required:	No	Priority:	Code 1
Prior Hazards:	No	Status:	Investigate
LE Case Number:		Nature of Call:	

Unit/Personnel

Unit	Personnel
BE11	7085-Coffman
BE20	7064-Yelvington

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Caller	MONTGOMERY, BRENDA		(574)780-3931			

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count	Date/Time
Unit: BE11		
Disposition	Count	Date/Time
AT1	1	10/21/2023 16:56
Unit: BE20		
Disposition	Count	Date/Time
AT9	1	10/21/2023 16:46

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Incident Number: 2023-00023263, ORI: FL0180200.

CAD Narrative

10/21/2023 : 16:44:44 ayelvington Narrative: LEFT A VOICEMAIL FOR THE OWNER ADVISING HER OF THE NOISE COMPLAINT.

10/21/2023 : 16:24:52 flagso\lsantos Narrative: RP WOULD LIKE CONTACT WITH RESPONDING OFFICER

10/21/2023 : 16:24:46 flagso\lsantos Narrative: RP WANTS LEO TO GO OUT AND READ WITH A DECIMAL READER AND GIVE THEM A CITATION

10/21/2023 : 16:24:14 flagso\lsantos Narrative: STATES THAT HER HUSBAND IS NOT FEELING WELL AND SHE CAN NOT HAVE THIS

10/21/2023 : 16:23:55 flagso\lsantos Narrative: FROM THE NEW RESTAURANT

10/21/2023 : 16:23:36 flagso\lsantos Narrative: LOUD MUSIC

~~2023~~
Cajun Rest



Incident Report

Print Date/Time: 07/09/2024 11:56
Login ID: sbuttner

Flagler Beach Police Department
ORI Number: FL0180200

Incident: 2023-00023313

Incident Date/Time:	10/22/2023 6:02:43 PM	Incident Type:	Noise Complaint
Location:	113 11TH ST S Flagler Beach FL 32136	Venue:	Flagler Beach
Phone Number:	(574)780-3931	Source:	Phone
Report Required:	No	Priority:	Code 1
Prior Hazards:	No	Status:	Investigate
LE Case Number:		Nature of Call:	

Unit/Personnel

Unit	Personnel
BE21	7055-Guerrero

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Caller	MONTGOMERY, BRENDA		(574)780-3931			

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count	Date/Time
Unit: BE21		
Disposition	Count	Date/Time
AT1	1	10/22/2023 18:51

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Incident Number: 2023-00023313. ORI: FL0180200.

CAD Narrative

10/22/2023 : 18:49:23 mguerrero Narrative: Upon receiving the noise complaint call, I attempted to locate the meter reader within the department. Unfortunately, the meter reader is within the Sgts office under lock and key. I made contact with the reporting party and listen to her complaints in reference to the music. I advised her about the meter reader not being available for the evening, however, the music had already seized prior to my arrival. I advised RP that I could make contact with the establishment to possibly curb any further issues for the evening.

When making contact at the establishment they appeared to be already of why I was present, possibly by my mere presence. However, they stated that the neighbors have called on them multiple times and they have not done anything wrong, that they are considering filling a harassment report. I requested that they lower the music to curb any possible unwanted attention.

10/22/2023 : 18:12:59 wzuazua Narrative: RP WANTS TO KNOW IF LEO CALLED THEM AHEAD OF TIME BEFORE A METER READING SO THAT HE DOESN'T GET A CITATION

10/22/2023 : 18:12:21 wzuazua Narrative: RP CALLED BACK IN ON THE ADMIN LINE AND SAID SHE WANTS AN OFFICER TO GO TELL THEM TO TURN IT DOWN AND NOT A PHONE CALL FROM THE DEPUTY, SHE WANTS THEM TO HAVE A METER READING AND A CITATION WROTE. RP STATES SHE PAYS " \$10 THOUSAND DOLLARS IN TAXES" AND WOULD LIKE SOMETHING DONE

10/22/2023 : 18:07:15 flagso\lstanford Narrative: SHE STATED SHE CALLED THIS IN LAST NIGHT TOO BUT A READING COULDN'T BE DONE DUE TO THE MOTORCYCLES

10/22/2023 : 18:06:59 flagso\lstanford Narrative: SHE NEEDS A READING DONE/// OFFICERS CAN MAKE CONTACT WITH HER IF NEEDED

10/22/2023 : 18:03:37 flagso\lstanford Narrative: RPS HUSBAND IS SICK

10/22/2023 : 18:03:29 flagso\lstanford Narrative: RP NEEDS AN OFFICER TO COME DO THE MUSIC READING

10/22/2023 : 18:03:20 flagso\lstanford Narrative: LOUD MUSIC AT THE NEW CAJUN PLACE

Cajin
Resturant



Incident Report

Print Date/Time: 07/09/2024 11:38
Login ID: sbuttner

Flagler Beach Police Department
ORI Number: FL0180200

Incident: 2024-00004506

Incident Date/Time:	3/14/2024 9:03:07 PM	Incident Type:	Noise Complaint
Location:	1112 S OCEAN SHORE BLVD Flagler Beach FL 32136	Venue:	Flagler Beach
Phone Number:		Source:	Phone
Report Required:	No	Priority:	Code 1
Prior Hazards:	No	Status:	Investigate
LE Case Number:		Nature of Call:	

Unit/Personnel

Unit	Personnel
BE21	7082-Nobre
BE22	7086-Snyder

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Caller	ANON					

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count	Date/Time
Unit: BE22		
Disposition	Count	Date/Time
AT1	1	03/14/2024 21:16

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Incident Number: 2024-00004506. ORI: FL0180200.

CAD Narrative

03/14/2024 : 21:14:41 msnyder Narrative: THERE IS A WEDDING, SPOKE WITH THE PARTIES INVOLVED AND REQUESTED THE MUSIC BE TURNED DOWN, THEY AGREEG TO TURN IT DOWN. AXON UPLOADED

03/14/2024 : 21:03:23 aldrige Narrative: LOUD MUSIC COMING FROM RESTAURANT

Cajun B...
Restaurant.



Incident Report

Print Date/Time: 07/09/2024 11:30
Login ID: sbuttner

Flagler Beach Police Department
ORI Number: FL0180200

Incident: 2024-00007383

Incident Date/Time: 5/2/2024 7:03:32 PM
Location: 1112 S OCEAN SHORE BLVD
Flagler Beach FL 32136
Phone Number: (561)445-4111
Report Required: No
Prior Hazards: No
LE Case Number:

Incident Type: Noise Complaint
Venue: Flagler Beach
Source: Phone
Priority: Code 1
Status: Investigate
Nature of Call:

Unit/Personnel

Unit	Personnel
BE20	7064-Yelvington

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Caller	WOTHERSPOON, TOM		(386)237-4991			

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count	Date/Time
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Unit: BE20

Disposition	Count	Date/Time
AT1	1	05/02/2024 19:46

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Incident Number: 2024-00007383. ORI: FL0180200.

CAD Narrative

05/02/2024 : 19:46:30 ayelvington Narrative: NO VIOLATIONS.

05/02/2024 : 19:04:56 dbrown Narrative: WANTS CONTACT

05/02/2024 : 19:04:09 dbrown Narrative: BASS TO IT

05/02/2024 : 19:04:07 dbrown Narrative: LOUD MUSIC

CITY OF FLAGLER BEACH

Section 6, Item a.
B253296

Post office Box 70, Flagler Beach, FL 32136

DATE ISSUED: 09/30/2024

VALID UNTIL 09/30/2025

PROPERTY ADDRESS:

FLOJUN, LLC D/B/A THE CAJUN BEACH BOIL AND SUSI
1112 S OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136

MAIL TO:

PATRICK MCKINNEY
5 RED TOP LANE
PALM COAST, FL 32164

ISSUED FOR: Business



00063853	Transfer of Owner LBTR	\$5.51
00063853	Application Review Fee	\$60.00
00063853	Business Tax Receipt	\$55.12
00063853	Fire Safety (Renewable) New	\$50.00
	Penalty:	0.00
	Total Billed:	170.63
	Amt Paid:	170.63
	Amt Due:	\$0.00

EXPIRES ➤ Sep/30/2025

MUST BE POSTED CONSPICUOUSLY AT YOUR PLACE OF BUSINESS



Incident Report

Print Date/Time: 09/27/2024 10:06
Login ID: sbuttner

Flagler Beach Police Department
ORI Number: FL0180200

Incident: 2024-00017560

Incident Date/Time:	9/20/2024 9:26:05 PM	Incident Type:	Noise Complaint
Location:	1112 S OCEAN SHORE BLVD Flagler Beach FL 32136	Venue:	Flagler Beach
Phone Number:	(561)716-7397	Source:	Phone
Report Required:	No	Priority:	Code 1
Prior Hazards:	No	Status:	Investigate
LE Case Number:		Nature of Call:	

Unit/Personnel

Unit	Personnel
BE20	7058-Bingham
BE21	7085-Coffman

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Caller	WOTHERSPOON, BRENDA		(561)716-7397			

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count	Date/Time
Unit: BE20		
Disposition	Count	Date/Time
AT1	1	09/20/2024 21:38

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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CAD Narrative

09/20/2024 : 21:38:17 JBingham Narrative: UPON ARRIVAL NO BAND PLAYING AND STAGE WAS DARK. CONTACT WAS MADE WITH STAFF AND THEY ADVISED THEY CANNOT HAVE LIVE MUSIC UNTIL THEY GET A PERMIT. HOPING TO HAVE PERMIT BY 10-12-24. THEY DID HAVE A STEREO PLAYING AND SAID THEY WOULD TURN IT DOWN (STEREO WAS HARDLY AUDIBLE FROM ME SHOP OUTBACK. NO VIOLATION NOTED, NO POLICE ACTION NEEDED.

09/20/2024 : 21:28:03 wzuazua Narrative: RP SAID SHE DOES NOT NEED A CB BECAUSE SHE WILL BE PICKING UP THE REPORT OF THE WRITTEN CITATION WHEN IT BECOMES AVAILABLE

09/20/2024 : 21:27:06 wzuazua Narrative: RP IS REQUESTING A CITATION AND NOT JUST A CALL

09/20/2024 : 21:26:37 wzuazua Narrative: DONT HAVE A MUSIC PERMIT BUT PLAYING MUSIC BEHIND THE BAR



Case Report Summary

Print Date/Time: 09/27/2024 10:10
Login ID: sbuttner
Case Number: 2024-00014205

Flagler Beach Police Department
ORI Number: FL0180200

Case

Case Number:	2024-00014205	Incident Type:	Information
Location:	1112 S OCEAN SHORE BLVD Flagler Beach, FL 32136	Occurred From:	08/02/2024 12:30
Reporting Officer ID:	7082 - Nobre	Occurred Thru:	08/02/2024 12:30
		Disposition:	Non Criminal
		Disposition Date:	08/02/2024
		Reported Date:	08/02/2024 12:30 Friday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
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Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Other	1	MCKINNEY, PATRICK	1 WINCHESTER PL	(386)344-2983	BLACK/AFRI CAN AMERICAN	Male	07/07/1968
Other	2	REEVES, ATHENA JACQUELINE	Palm Coast, FL 32164 820 BRIGHTVIEW DR LAKE MARY, FL 32746		WHITE	Female	56 04/19/1980 44

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
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Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
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OfficerID: SNobre, Case Narrative

*****Information Report*****

On August 2, 2024, at approximately 1230 hours, I, Sgt. Nobre, made contact with the co-owner of Cajun Boil and Sushi, Athena Reeves. I advised her that they currently do not have an Outdoor Entertainment Permit through the City of Flagler Beach, to have outside live music. I advised all outdoor entertainment must cease immediately. I informed her that the permit that they used to have does not transfer with the new owners, and they must apply for a new one. Reeves advised she understood and was cooperative.

Nothing further to report.

Case closed; information report.

Sec. 2.06.02. Parking.

Section 2.06.02.1 *Off-street parking.*

In all districts and in connection with every use, with the exception of those zoning districts within the Downtown Mixed-Use District and the Downtown A1A Retail Corridor as defined and regulated by Section 2.01.02.7.1 Downtown Design Guidelines, there shall be provided, at the time any building is constructed or any existing building is moved, altered, added to or enlarged or reconstructed, or if there is a change in the category of use listed in the schedule of off-street requirements which requires issuance of a new business tax receipt and/or certificate of occupancy, off-street parking space in accordance with the requirements as set forth herein. (Note: Any nonconforming use may replace an existing nonconforming use if the parking requirements under the schedule are less for the new nonconforming use.)

- (1) Size and access—An off-street parking space shall consist of a parking space having minimum dimensions of ten (10) feet in width by twenty (20) feet in length for the parking of each automobile, exclusive of access drives or aisles thereto. Minimum width for the maneuvering of an automobile into a parking space shall be in conformance with the illustrative chart as set forth in Attachment One of this ordinance. The parking plan must be so arranged that each automobile may be placed and removed from the property without the necessity of moving any other automobile to complete the maneuver.

Street or sidewalk areas may not be used for off-street parking purposes as herein defined. Individual ingress and egress drives extending across the public sidewalks and curbs and connecting the off-street parking spaces to the public street areas shall not exceed a maximum of twelve (12) feet for a one-way drive and twenty-four (24) feet for a two-way drive. The number and placement of such drives is to be subject to the approval of the planning and architectural review board before being installed.

- (2) Number of parking spaces required—There shall be provided at the time of the erection of any structure or at the time any structure is enlarged or increased in capacity by adding dwelling units, guest rooms, floor area or seats, or at the time any use or occupancy of an existing building is changed to a use or occupancy which increases the requirements for off-street parking, minimum off-street

parking facilities with adequate provisions for ingress and egress, in accordance with paragraph (1) of this section and the schedule of off-street parking requirements.

- (3) Location of parking spaces—Parking spaces for all uses or structures which are provided as required parking in conformance with the schedule of off-street parking and other applicable provisions shall be located within two hundred (200) feet and have the same zoning district, as the principal use or structure they are intended to serve.

SCHEDULE OF OFF-STREET PARKING REQUIREMENTS*
CITY OF FLAGLER BEACH

1.	Single and two-family dwellings and townhouses	Two per dwelling unit
2.	Multi-family dwellings	Two per dwelling unit
3.	Churches or other places of worship	One per six permanent seats in the main auditorium
4.	Private clubs	One per three hundred sq. ft. of total floor area or portion thereof

5.	General business, commercial and personal service	One per three hundred fifty sq. ft. of establishments or office buildings total [floor] area or portion thereof
6.	Hotels, motels and motor inns	One per bedroom or sleeping unit plus one per each five units or portion thereof
7.	Libraries and museums	One per five hundred sq. ft.
8.	Medical or dental offices or clinics	Eight for each doctor or dentist
9.	Restaurants, nightclubs or other eating places	One per one hundred fifty sq. ft. total floor area or one per three fixed seats or as established by the standards of the Florida Building Code whichever is greater. Where the restaurant abuts the Intracoastal Waterway, boat slips may be counted for seating. One boat slip per three seats. When counting boat slips for seating as provided herein, such boat slips must be transient in nature and cannot have electrical or water hookups. Boat slips can only represent an additional 25% of land parking.
10.	Theatres, auditoriums	One per each four seats
11.	Schools (public or private)	
	Grades 1—6	One per fourteen students
	Grades 7—9	One per nine students
	Grades 10—12	One per three students
12.	Industrial	One per six hundred sq. ft. of total floor space or portion thereof
13.	Hospitals	1.5 per bed
14.	Tennis, hand-ball, and racquetball facilities	Two spaces/court plus required parking for additional uses on the site
15.	Health club	One space/one hundred fifty square feet of gross floor area
16.	Driving range (golf)	One space/tee plus required parking for any other uses on the site
17.	Golf course (regulation)	Six spaces/hole plus required parking for any other uses on the site
18.	Boat slips	One space per boat slip, except charter boats.
19.	Charter boats*	One space per six permanent seats on the boat, plus one space for the captain/skipper
*Note 1. Charter boats are permitted in marinas. Prior to the date when a charter boat begins operation, the owner shall submit a parking plan to the city.		

*Properties within the Downtown Mixed-Use District and the Downtown A1A Retail Corridor are also regulated by Section 2.01.02.7.1 Downtown Design Guidelines, which may differ from this schedule and take precedence.

- (4) Collective provisions—Two (2) or more owners or operators of buildings or uses of the same type of zoning classification requiring off-street parking facilities may take collective provision for such facilities, provided that the total of such parking spaces when combined or used together shall not be less than the sum of the requirements computed separately and provided that the combined facility is compatible with the zoning uses being served.
- (5) Interpretation—The planning and architectural review board shall interpret the minimum required number of off-street parking spaces for any use not listed in the schedule of off-street parking requirements.
- (6) Landscaping—All parking areas shall be properly screened, landscaped, and lighted in accordance with Section 5.04.00, Landscaping/Trees.

Ten (10) percent minimum of the gross parking area is to be devoted to living landscaping, which includes grass, ground cover, plants, shrubs and trees. The gross parking area is to be measured from the edge of the parking and/or driveway paving and sidewalks, extended [extending] five (5) feet in all directions, but is not to include any area enclosed by the building or covered by a building overhang.

Such landscaping shall be maintained (i.e., watered, fertilized, pruned, etc.) and periodically replaced if necessary.

- (7) Perimeter screening—All parking lots and vehicular use areas shall be screened from all abutting properties and/or rights-of-way with a wall, fence, hedge or other durable landscape barrier. Any living barrier shall be established in a two-foot minimum wide planting strip. This living barrier shall be at least thirty (30) inches high at the time of planting and shall attain a minimum height of three (3) feet one (1) year after planting. A non-living barrier shall be a minimum of three (3) feet high at time of installation. In addition, one (1) tree in each forty (40) linear feet or fraction thereof shall be provided in the perimeter landscape planting area. Trees referred to in this section shall be of a species common to North Central Florida and having an average mature spread of crown of greater than fifteen (15) feet and having trunk(s) which can be maintained in a clean condition over five (5) feet of clear wood. Trees having an average mature spread of crown less than fifteen (15) feet may be substituted by grouping the same so as to create the equivalent of a fifteen-foot crown of spread. Trees species shall be a minimum of eight (8) feet overall height immediately after planting. Hedges, where installed, shall be planted and maintained so as to form a continuous, unbroken, solid, visual screen thirty-six (36) inches high within a maximum of one (1) year after time of planting. The remainder of the required landscaped areas shall be landscaped with grass, ground cover, or other approved landscape treatment excluding paving. All property other than the required landscaped strip lying between the right-of-way and off-street parking area or other vehicular use area shall be landscaped with at least grass or other ground cover.

This shall include the off-property swale between the actual pavement of a public street or alley and the right-of-way/property line. Appropriate provisions of this section may be waived in the following situation:

Where a proposed parking area or other vehicular use area abuts an existing hedge, wall or other durable landscape barrier it may be used to satisfy the landscape barrier requirements of the subsection provided that said existing barrier meets all applicable standards of this ordinance and protection against vehicular encroachment is provided for hedges.

- (8) Interior landscaping—Interior areas of parking lots shall contain planter islands located so as to best relieve the expanse of paving. A maximum of twelve (12) parking spaces in a row will be permitted without a planter island.

Interior areas of vehicular use areas shall contain planter islands located so as to best relieve the expanse of pavement. This section may be modified under the following circumstances:

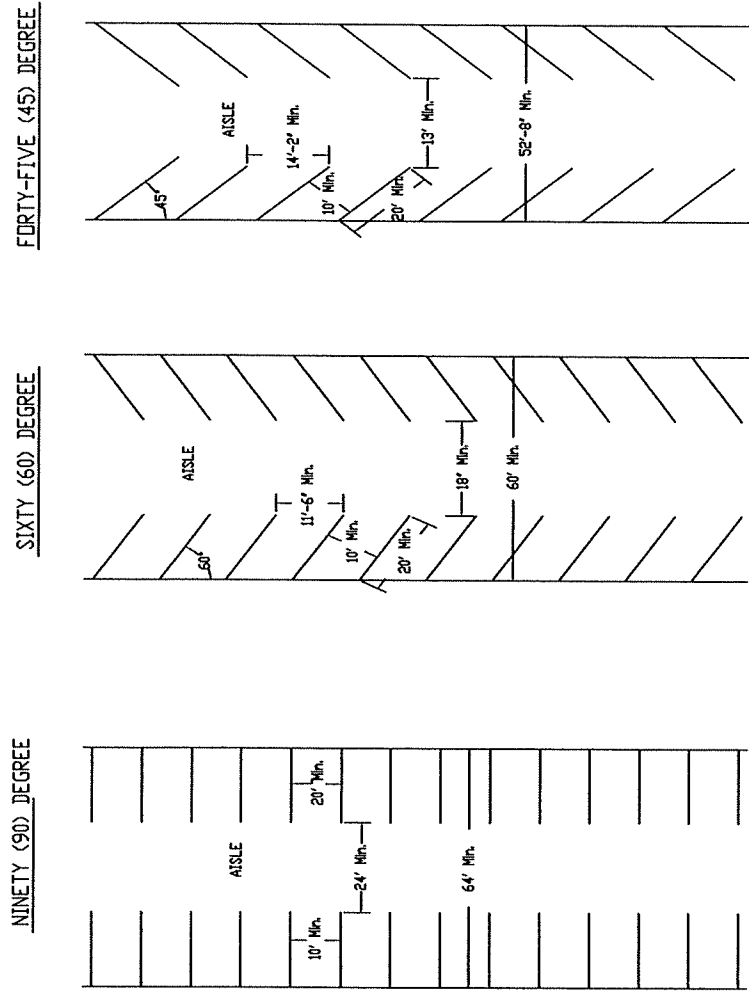
- (a) When a strict application of this section will seriously limit the function of an area the required landscaping may be relocated with the approval of the planning and architectural review board.
 - (b) In an industrial project the planning and architectural review board may lower the overall landscape area from ten (10) percent to five (5) percent of the gross parking area. This reduction would apply only to the interior requirements. Perimeter minimums will not change.
- (9) Planter islands shall be a minimum of fifty (50) square feet in area and shall contain at least one (1) tree having a minimum clear trunk of five (5) feet and a minimum overall height of eight (8) feet. The remainder shall be landscaped with shrubs, lawn, ground cover or other approved material not to exceed three (3) feet.

In instances where healthy plant material exists on a site prior to its development, the above-mentioned standards may be adjusted to allow credit for such plant material, if, in the opinion of the planning and architectural review board, such an adjustment is in keeping with and will preserve the intent of this ordinance.

- (10) Lighting—All parking lots and vehicular use areas shall be well lighted.

Lighting is to be designed not only from the standpoint of safety and resistance to vandalism, but for visual effect. It should avoid any annoyance to the neighbors from brightness or glare. Low lights of a modest scale can be used along with feature lighting emphasizing plants, trees, barriers, entrances and exits. The fixtures are to be selected not only for their functional value but for their aesthetic qualities. They are to be considered furniture of the parking lot visible both day and night.

ATTACHMENT ONE
ILLUSTRATION OF OFF-STREET PARKING AREA STANDARDS



Attachment One Off-Street Parking Area Standards

Section 2.06.02.2 *Off-street loading.*

Section 2.06.02.3 *Service stations.*

(Ord. No. 2007-06, § 1, 3-8-07; Ord. No. 2007-29, § 1, 9-27-07; Ord. No. 2009-14, § 2, 9-24-09; Ord. No. 2009-17, § 7, 10-8-09; Ord. No. 2018-03, § 2, 2-22-18)

Editor's note(s)—Ord. No. 2018-03, § 2, adopted February 22, 2018, amended the title of § 2.06.02 to read as set out herein. Previously § 2.06.02 was titled "Automotive services."

1004.3 Multiple function occupant load. Where an area under consideration contains multiple functions having different *occupant load* factors, the design *occupant load* for such area shall be based on the floor area of each function calculated independently.

1004.4 Multiple occupancies. Where a building contains two or more occupancies, the *means of egress* requirements shall apply to each portion of the building based on the occupancy of that space. Where two or more occupancies utilize portions of the same *means of egress* system, those egress components shall meet the more stringent requirements of all occupancies that are served.

1004.5 Areas without fixed seating. The number of occupants shall be computed at the rate of one occupant per unit of area as prescribed in Table 1004.5. For areas without *fixed seating*, the *occupant load* shall be not less than that number determined by dividing the floor area under consideration by the *occupant load* factor assigned to the function of the space as set forth in Table 1004.5. Where an intended function is not *listed* in Table 1004.5, the *building official* shall establish a function based on a *listed* function that most nearly resembles the intended function.

Exception: Where *approved* by the *building official*, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design *occupant load*.

1004.5.1 Increased occupant load. The *occupant load* permitted in any building, or portion thereof, is permitted to be increased from that number established for the occupancies in Table 1004.5, provided that all other requirements of the code are met based on such modified number and the *occupant load* does not exceed one occupant per 7 square feet (0.65 m²) of occupiable floor space. Where required by the *building official*, an *approved aisle*, seating or fixed equipment diagram substantiating any increase in *occupant load* shall be submitted. Where required by the *building official*, such diagram shall be posted.

1004.6 Fixed seating. For areas having *fixed seats* and *aisles*, the *occupant load* shall be determined by the number of *fixed seats* installed therein. The *occupant load* for areas in which *fixed seating* is not installed, such as waiting spaces, shall be determined in accordance with Section 1004.5 and added to the number of *fixed seats*.

The *occupant load* of *wheelchair spaces* and the associated companion seat shall be based on one occupant for each *wheelchair space* and one occupant for the associated companion seat provided in accordance with Section 1109.2.3.

For areas having *fixed seating* without dividing arms, the *occupant load* shall be not less than the number of seats based on one person for each 18 inches (457 mm) of seating length.

The *occupant load* of seating booths shall be based on one person for each 24 inches (610 mm) of booth seat length measured at the backrest of the seating booth.

TABLE 1004.5
MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT

FUNCTION OF SPACE	OCCUPANT LOAD FACTOR ^a
Accessory storage areas, mechanical equipment room	300 gross
Agricultural building	300 gross
Aircraft hangars	500 gross
Airport terminal	
Baggage claim	20 gross
Baggage handling	300 gross
Concourse	100 gross
Waiting areas	15 gross
Assembly	
Gaming floors (keno, slots, etc.)	11 gross
Exhibit gallery and museum	30 net
Assembly with fixed seats	See Section 1004.6
Assembly without fixed seats	
Concentrated (chairs only—not fixed)	7 net
Standing space	5 net
Unconcentrated (tables and chairs)	15 net
Bowling centers, allow 5 persons for each lane including 15 feet of runway, and for additional areas	7 net
Business areas	150 gross
Concentrated business use areas	See Section 1004.8
Courtrooms—other than fixed seating areas	40 net
Day care	35 net
Dormitories	50 gross
Educational	
Classroom area	20 net
Shops and other vocational room areas	50 net
Exercise rooms	50 gross
Group H-5 fabrication and manufacturing areas	200 gross
Industrial areas	100 gross
Institutional areas	
Inpatient treatment areas	240 gross
Outpatient areas	100 gross
Sleeping areas	120 gross
Kitchens, commercial	200 gross
Library	
Reading rooms	50 net
Stack area	100 gross
Locker rooms	50 gross
Mall buildings—covered and open	See Section 402.8.2
Mercantile	60 gross
Storage, stock, shipping areas	300 gross
Parking garages	200 gross
Residential	200 gross
Skating rinks, swimming pools	
Rink and pool	50 gross
Decks	15 gross
Stages and platforms	15 net
Warehouses	500 gross

For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929 m².

a. Floor area in square feet per occupant.

1004.7 Outdoor areas. *Yards*, patios, occupied roofs, *courts* and similar outdoor areas accessible to and usable by the building occupants shall be provided with *means of egress* as required by this chapter. The *occupant load* of such outdoor areas shall be assigned by the *building official* in accordance with the anticipated use. Where outdoor areas are to be used by persons in addition to the occupants of the building, and the path of egress travel from the outdoor areas passes through the building, *means of egress* requirements for the building shall be based on the sum of the *occupant loads* of the building plus the outdoor areas.

Exceptions:

1. Outdoor areas used exclusively for service of the building need only have one *means of egress*.
2. Both outdoor areas associated with Group R-3 and individual dwelling units of Group R-2.

1004.8 Concentrated business use areas. The *occupant load* factor for concentrated business use shall be applied to telephone call centers, trading floors, electronic data processing centers and similar business use areas with a higher density of occupants than would normally be expected in a typical business occupancy environment. Where approved by the *building official*, the *occupant load* for concentrated business use areas shall be the actual *occupant load*, but not less than one occupant per 50 square feet (4.65 m²) of gross occupiable floor space.

1004.9 Posting of occupant load. Every room or space that is an assembly occupancy shall have the *occupant load* of the room or space posted in a conspicuous place, near the main *exit* or *exit access doorway* from the room or space, for the intended configurations. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or the owner's authorized agent.

SECTION 1005 MEANS OF EGRESS SIZING

1005.1 General. All portions of the *means of egress* system shall be sized in accordance with this section.

Exception: *Aisles* and *aisle accessways* in rooms or spaces used for assembly purposes complying with Section 1030.

1005.2 Minimum width based on component. The minimum width, in inches (mm), of any *means of egress* components shall be not less than that specified for such component, elsewhere in this code.

1005.3 Required capacity based on occupant load. The required capacity, in inches (mm), of the *means of egress* for any room, area, space or *story* shall be not less than that determined in accordance with Sections 1005.3.1 and 1005.3.2.

1005.3.1 Stairways. The capacity, in inches, of means of egress *stairways* shall be calculated by multiplying the *occupant load* served by such *stairways* by a *means of egress* capacity factor of 0.3 inch (7.6 mm) per occupant. Where *stairways* serve more than one *story*, only the *occupant load* of each *story* considered individually shall

be used in calculating the required capacity of the *stairways* serving that *story*.

Exceptions:

1. For other than Group H and I-2 occupancies, the capacity, in inches, of means of egress *stairways* shall be calculated by multiplying the *occupant load* served by such *stairways* by a means of egress capacity factor of 0.2 inch (5.1 mm) per occupant in buildings equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2 and an *emergency voice/alarm communication system* in accordance with Section 907.5.2.2.
2. Facilities with *smoke-protected assembly seating* shall be permitted to use the capacity factors in Table 1030.6.2 indicated for stepped *aisles* for *exit access* or *exit stairways* where the entire path for *means of egress* from the seating to the *exit discharge* is provided with a smoke control system complying with Section 909.
3. Facilities with *open-air assembly seating* shall be permitted to the capacity factors in Section 1030.6.3 indicated for stepped *aisles* for *exit access* or *exit stairways* where the entire path for *means of egress* from the seating to the *exit discharge* is open to the outdoors.

1005.3.2 Other egress components. The capacity, in inches, of *means of egress* components other than *stairways* shall be calculated by multiplying the *occupant load* served by such component by a means of egress capacity factor of 0.2 inch (5.1 mm) per occupant.

Exceptions:

1. For other than Group H and I-2 occupancies, the capacity, in inches, of *means of egress* components other than *stairways* shall be calculated by multiplying the *occupant load* served by such component by a means of egress capacity factor of 0.15 inch (3.8 mm) per occupant in buildings equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.
2. Facilities with *smoke-protected assembly seating* shall be permitted to use the capacity factors in Table 1030.6.2 indicated for level or ramped *aisles* for *means of egress* components other than *stairways* where the entire path for *means of egress* from the seating to the *exit discharge* is provided with a smoke control system complying with Section 909.
3. Facilities with *open-air assembly seating* shall be permitted to the capacity factors in Section 1030.6.3 indicated for level or ramped *aisles* for *means of egress* components other than