



STAFF REPORT

Planning & Architectural Review Board

February 03, 2025

To: Planning & Architectural Review Board

From: Penny Overstreet, City Clerk

Date: February 3, 2025

Item Name: Application OE-25-03-01 Request for an Annual Outdoor Entertainment Permit – The Cajun Beach – 1112 S. Ocean Shore Blvd. -Applicant – Patrick McKinney.

Background: Applicant: Cajun Beach/Flojun, LLC., 1112 S. Ocean Shore Blvd., Flagler Beach, Florida 32136. The Planning Board and City Commission denied the applicants request at their January 09, 2025. After reviewing the application and conducting a public hearing, the Officials urged the applicant to table his request and address the noise abatement concerns. The Applicant and his Attorney declined and requested a decision be made that evening. The City Commission voted to deny the requested outdoor entertainment permit. Specifically, the City Commission found that there was not competent substantial evidence to support a finding that element number 7 of the required considerations has been satisfied. For the City Commission to grant an outdoor entertainment permit it must find that the proposed outdoor entertainment would not have an adverse effect on or unreasonably infringe upon the rights of property owners within 200 feet of the subject property. As the City Commission has found that said element was not supported by competent substantial evidence, Application OE-25-01-01 has been denied.

The applicant has returned a new application and submitted proposed stage performance solutions he wishes to be considered.

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 on 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 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's interest as identified by the city commission.
- (a) In deciding to approve a permit 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.

The applicant has 17 on-site parking spaces, and approximately 17 off-site for a total of 34.

Staff Recommendation: Staff recommends the application be considered based upon the fourteen criteria, and the applicants' installation of the noise abatement material.

Attachments:

- Application
- Map of surrounding property owners

OFFICE USE ONLY:

DATE REC'D _____

FEES REC'D \$ _____

REMARKS: _____

APPROVED ☐

DISAPPROVED ☐

NOT 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: Cajun Beach / Flojan LLC

Contact Person: Patrick McKinney

Address: 1112 S Ocean Shore Blvd

City: Flagler Beach State: FL Zip: 32136

Work Phone: 386-338-3430 Home Phone: 386-344-2983

Fax: _____ Mobile Phone: 386-344-2983

Mail Address: Patrick@CajunBeach.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
(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.

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 Manager 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

1-17-25
12-2-04

Title of Applicant

Managing Pastor

Affiliation

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



Overview



Legend

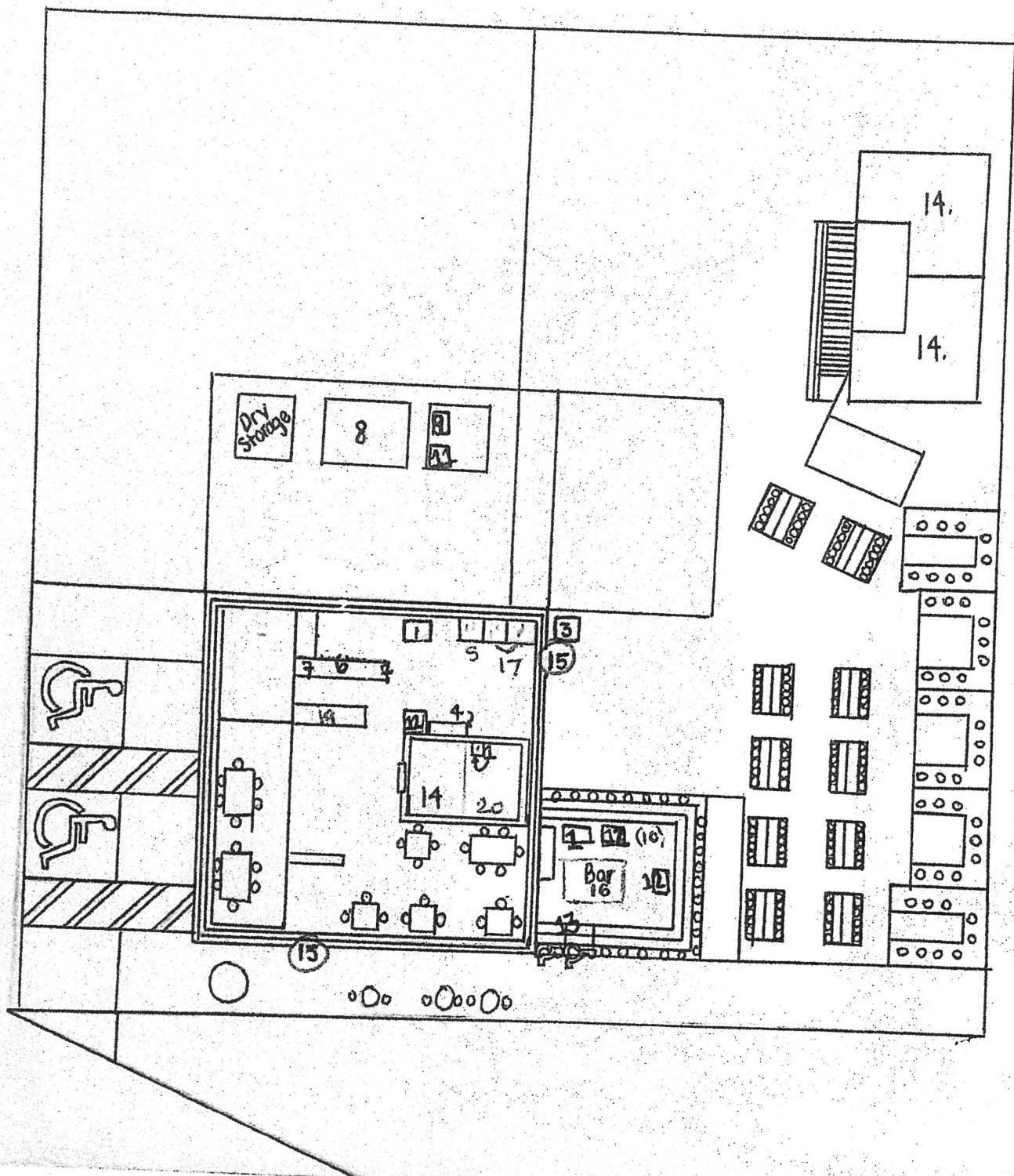
- ☐ Parcels
- ☐ Roads
- ☐ Streams and River

Parcel ID	12-12-31-4500-00180-0090	Owner	BCC PROPERTIES LLC PO BOX 418 FLAGLER BEACH, FL 32136	Land Value	\$560,000	Last 2 Sales			
Map ID	78663			Ag Land Value	\$0	Date	11/10/2014	Price	\$220,000
Use Code	RESTAURANT/CAFE			Building Value	\$45,386	Date	4/20/2012	Price	\$255,000
zoning	21	Physical Address	1112 S OCEAN SHORE BLVD	Misc Value	\$5,402			Reason	I
Area	11,799.080			Just Value	\$610,788			Qual	U
				Assessed Value	\$505,755				Q
				Exempt Value	\$0				
				Taxable Value	\$505,755				

Map created: 2/15/2023

Map Data Uploaded: 2/15/2023 11:05:46 AM

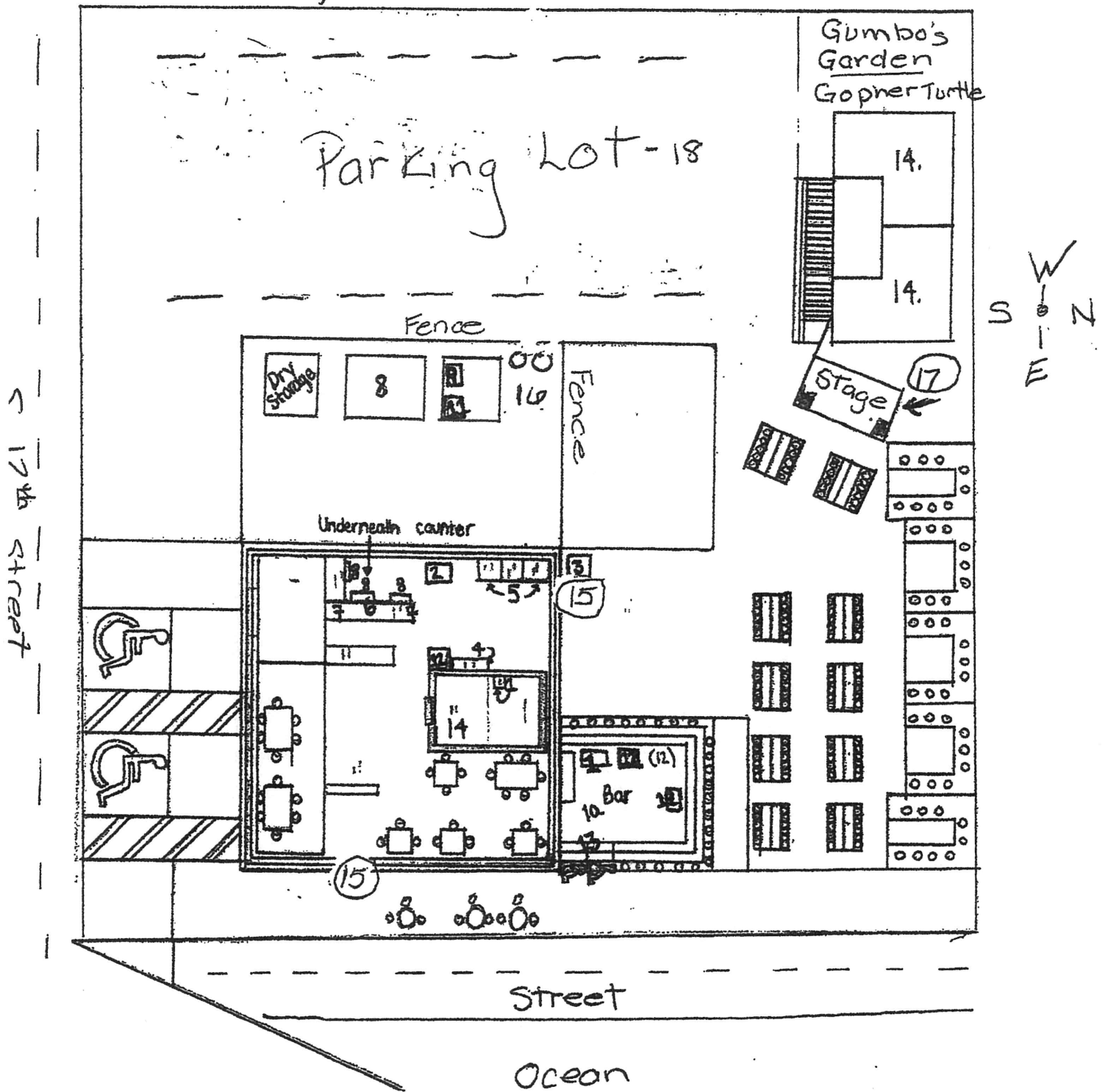
Developed by Schneider GEOSPATIAL



Hand Sinks
 Food preparation Sinks
 mop sink
 Warewashing sink
 gas range oven
 refrigeration
 Preparation tables
 walk-in refrigerator
 Freezers
 Soda dispenser

11. Ice machine
 12. Ice Bins
 13. Wait service Station
 14. Bathrooms
 15. Exits
 16. Locking Bar
 17. Gas Fryers
 18.
 19.
 20.

Lajon Beach Boil & Sushi



- | | |
|-------------------------------|---------------------------|
| 1. Hand sinks | 9. Freezers |
| 2. Food preparation sinks | 10. Bar equipment |
| 3. Mops sinks | 11. Ice machines |
| 4. Warewashing equipment | 12. Ice bins |
| 5. Cooking equipment | 13. Wait service stations |
| 6. Food preparation equipment | 14. Bathrooms |
| 7. Preparation tables | 15. Entry |
| 8. Refrigerators | 16. Boil (2) |
| | 17. Stage - Speakers |

Addendum to my permit application.

1) We have 3inch soundproofing in the entire stage.

2) We have no speakers on the stage, each performing artist brings their own. We do have two small speakers in the bar ceiling.

3) We have been sharing parking with the hotel and spa since we opened. There is no formal agreement but when they have weddings or events we allow their customers to use our parking lot. They have done the same. The ownership and management of both hotels on either side of us have dined at our restaurant. They've invited me to tour their restaurant and asked for my assistance since their restaurant is not currently open.

4) The police reports to the property have all been by the same hand full of people and no citations were given. At no time was the noise ordinance violated. There have been many false reports made for many reasons.

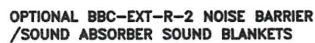
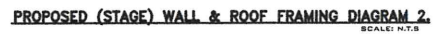
5) The guest from both hotels and all of the surrounding hotels dine at our restaurant frequently.

Thank you!

Patrick McKinney
The Cajun Beach

Included plans for sound proofing and stage per request

- 1 EXISTING 2x4 SYP FRAMED "STAGE"
- 2 NEW 5/8" THK. PLYWOOD SHEATHING INTERIOR & EXTERIOR
- 3 NEW VINYL SIDING (REPLACEMENT)
- 4 NEW 2" ACOUSTIC FOAM BARRIER
- 5 NEW SAFE 'N' SOUND 3 IN. X 15-1/4 IN. X 47 IN. SOUNDPROOFING AND FIRE RESISTANT STONE WOOL INSULATION BATT (59.7 SQ. FT.)
- 6 OPTIONAL NEW 8' HIGH METAL FENCING w/ ATTACHED SOUND ABSORBER SOUND BLANKET (SEE IMAGE)
- 7 OPTIONAL NEW 8' MOVEABLE ACOUSTIC PANELS (SEE IMAGE)





City of Flagler Beach

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

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

February 3, 2025

Patrick McKinney
5 Red Top Lane
Palm Coast, Florida 32164

RE: Outdoor Entertainment Application

Dear Mr. McKinney

This letter is to advise you that the Planning and Architectural Review Board will hear your request for an Outdoor Entertainment Permit on March 11, 2025, at 5:30 p.m. The City Commission will hear the Planning Board's recommendation, and the final decision will be made at their March 13, 2025, meeting, which begins at 5:30 p.m. I have enclosed a copy of the letter that has been mailed to 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,

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

February 03, 2025

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 March 11, 2025; the meeting begins at 5:30 p.m. The request will be before the City Commission for consideration on March 13, 2025; the meeting begins at 5:30 p.m. The purpose 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,

Penny Overstreet
City Clerk

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

1A OCEANSHORE LLC
ST ANDREW COURT
ALM COAST, FL 32164

ANNIS BETTY H
2826 MONDAUI DR
ROCKLEDGE, FL 32955

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

CC PROPERTIES LLC
O BOX 418
LAGLER 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

ITY OF FLAGLER BEACH
O BOX 70
LAGLER 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

OLDEN MAGNOLIA MARINE INC
HARGROVE GRADE STE 2
ALM COAST, FL 32137

HALL LONNIE C JR
TRUSTEE
1100 S CENTRAL AVE
FLAGLER BEACH, FL 32136

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

ODOVANCE DEREK
HEATHER RAE H&W
12 S 11TH STREET
LAGLER BEACH, FL 32136

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

LAROCHELLE ERIK J
68 HIGH STREET
STRATHAM, NH 03885

TITLE TYLER F & EVELYN O
204 S CENTRAL AVE
LAGLER BEACH, FL 32136

MARTIN DALE L
1016 S CENTRAL AVE
FLAGLER BEACH, FL 32136

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

CEANSIDE COTTAGES LLC
204 S OCEANSHORE BLVD
LAGLER BEACH, FL 32136

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

STEIMLE MARCIA
1200 S CENTRAL AVE
FLAGLER BEACH, FL 32136

ADSWORTH GAIL TRUSTEE
O BOX 838
LAGLER BEACH, FL 32136

WOTHERSPOON THOMAS Y &
BRENDA K H&W
1102 S CENTRAL AVE
FLAGLER BEACH, FL 32136

YORK GENEROSO S & SANDRA L H
EDMUNDS JTWROS
1110 S CENTRAL AVENUE
FLAGLER BEACH, FL 32136