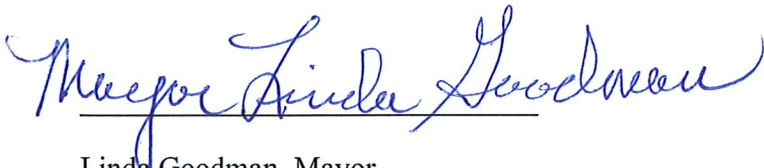


Application to the Village of Buckeye Lake Council for the establishment of a Designated Outdoor Refreshment Area (DORA) Pursuant to Revised Code 4301.82

The Mayor, Linda Goodman, respectfully submits the following application to the Council of the Village of Buckeye Lake to approve and enact the Village of Buckeye Lake Designated Outdoor Refreshment Area, in accordance with Revised Code 4301.82

A handwritten signature in blue ink that reads "Mayor Linda Goodman". The signature is written in a cursive style and is positioned above a horizontal line.

Linda Goodman, Mayor
Village of Buckeye Lake

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I. Introduction and Submittal of Application

Section 4301.82 of the Ohio Revised Code authorizes municipalities under 35,000 in population to create a Designated Outdoor Refreshment Area or "DORA." In order to consider creation of a DORA, the Executive Officer of the Village must file an application with the Village Council, which meets certain statutory requirements, The application filing must be advertised for two consecutive weeks in a newspaper of general circulation. Not earlier than 30 days, but not later than 60 days, after the initial publication of the notice, the Village Council may approve or disapprove of the application by ordinance or resolution.

Lakeside properties and business have expressed general support for the concept and indicated by its discussion a desire for this application to be prepared as the next step in considering enactment of a DORA.

In summary, this application provides the following:

- A. The DORA would ease or make more accessible outdoor dining in front of liquor permit holding establishments. It would allow such establishments to serve alcoholic beverages in a 16 oz plastic cup pursuant to the law within a designated area during certain hours. Creation of the DORA would relieve these establishments of current requirements for fencing around a dining area. Signage, sanitation and safety requirements would be established by permits issued by the Village.
- B. The Village Lakeside DORA would provide the ability for individuals to walk within the DORA boundaries with an alcoholic beverage purchased from a liquor permit holding establishment during permitted hours. This authority would be limited to the hours of 11:00 AM to 11:00 PM seven days per week subject to C. below.
- C. Village Council retains the right to temporarily suspend the DORA for a period of seven (7) days in order to accommodate the permitting of special events that may occur within the boundaries of the DORA.

II. Boundaries

In accordance with Revised Code 4301.82(B)(1)(b), the boundaries of the DORA are depicted in the following map and further described below. A list of parcel numbers and street addresses within the DORA, along with each parcel's current zoning classification and current use, is also included.

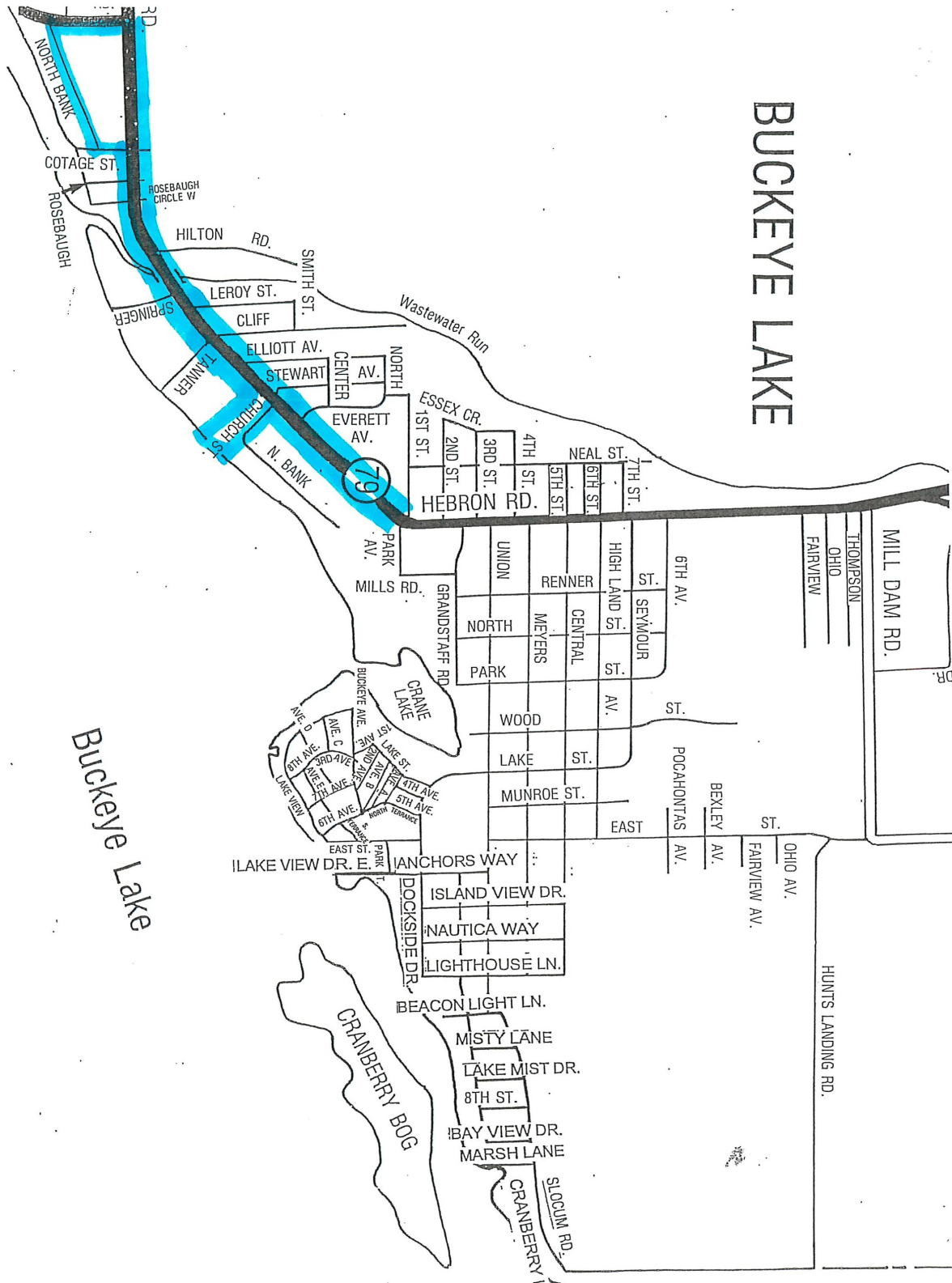
Designated Outdoor Refreshment Area (DORA)

The proposed boundary is highlighted in orange on the attached overview map. Following the overview map are Auditor's Office GIS sections of the Village, in the proposed DORA, outlining the proposed DORA boundary with the specific parcels identified.

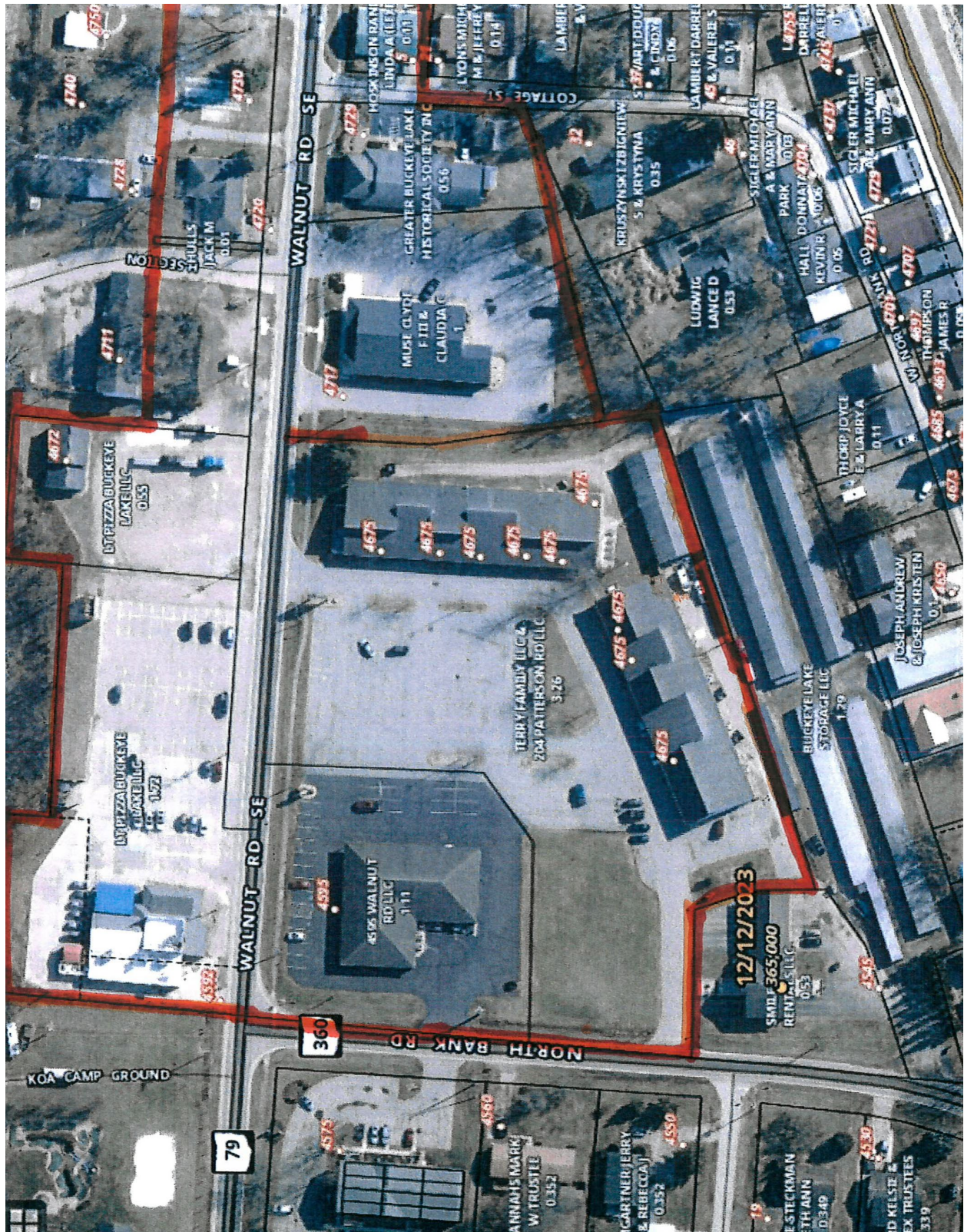
The proposed DORA is more generally described as the following area:

Starting on SR79, on the north side of the road, at 2nd Street and following SR79 west to, and ending the DORA at SR360. Starting again on at the easterly area of the Village on SR79, on the south side of the road, at Park Avenue on the south side of the road, and following SR79 west to the public access walkway and then heading south, towards the lake, to Church Street, then down Church Street and North Bank Road to Tanner Street, not including Watkins Island and access thereto, then turning north on Tanner Street back to the south side of SR79, then continuing west on SR79 to Cottage Street, turning south on Cottage Street to North Bank Road, then west on North Bank Road to SR360, turning north on SR360 to SR79, only the east side of SR360 being part of the DORA, and encompassing approximately 23.8 acres.

Overview Map



GIS Map











Acreage Map



III. DORA Hours, Signage

The DORA shall have hours from 11:00 AM until 11:00PM, seven (7) days per week. The Village may, pursuant to requests and requirements for special events, may suspend the DORA for up to seven (7) days, upon at least two (2) weeks notice of said special event accommodation.

The boundaries of the DORA shall be designated with signs, sufficient in size to easily read, indicating the DORA boundary and that alcoholic beverages are prohibited past said boundary. Signs shall be placed along the boundary at crossroads, changes in direction of the boundary, and shall be no further apart than 700 feet.

IV. Nature of Establishments, Parcel Numbers, Addresses, Zoning, and Uses

The parcel numbers, addresses, zoning classification, and current uses, are provided below. Revised Code 4301.82(B)(2) requires the nature and types of establishments located within the DORA be listed and identified. The zoning classification for the parcels within the DORA is General Business (GB) or Waterfront Business (WB), both of which permit a variety of mixed uses, including professional uses, government offices, food and drink, entertainment, and residential.

Parcel No.	Address	Owner	Current Use	Zoning
074-341598-00.000	HEBRON RD	MALOTT CAROL S	Parking Lot	(GB)
074-341562-00.000	HEBRON RD	MALOTT CAROL S	Parking Lot	(GB)
074-341604-00.000	HEBRON RD	MALOTT CAROL S	Parking Lot	(GB)
074-335904-00.000	11174 HEBRON RD	MALOTT CAROL S	Food & Drink	(GB)
074-344118-04.000	11184 HEBRON RD	HAUCK CHESTER J & PATRICIA A	Restaurant	(GB)
074-338124-00.000	5308 WALNUT RD	THOMAS J EVANS FOUNDATION	Parking Lot / Park	(GB)
074-335970-00.000	5276 WALNUT RD	FOSTER FRANK H IV	Restaurant	(GB)
074-335862-00.000	5246 WALNUT RD	POTVIN MAURICE J & SHARON Y	Retail / Office	(GB)
074-335712-00.001	5192 WALNUT RD	VILLAGE OF BUCKEYE LAKE	Government / Retail	(GB)
074-335700-00.000	5176 WALNUT RD	SCHILLING REALTY LLC	Food & Drink	(GB)
074-335766-00.000	5158 WALNUT RD	ROGUE CREATIVE LLC	Residential	(GB)
074-342540-00.000	5148 WALNUT RD	PEGRAM JAMES L JR & MARY S TRUSTEES	Residential	(GB)
074-343704-00.000	5138 WALNUT RD	EVERITT HOWARD S JR & EVERITT CATHY J	Residential	(GB)
074-342600-00.000	5118 WALNUT RD	VENEZIANO PROPERTIES LLC	Medical Office / Residential	(GB)
074-342678-00.000	5092 WALNUT RD	RAMSEY CHARLES E & BETH V	Residential	(GB)
074-342792-00.000	5060 WALNUT RD	EVERITT HOWARD S JR	Residential	(GB)
074-342462-00.000	5050 WALNUT RD	WHITE TABITHA R TRUSTEE	Residential	(GB)
074-338994-00.000	9 ELLIOTT AVE	AUTEN DIANA L & HAROLD L JR	Retail	(GB)
074-338988-00.000	5030 WALNUT RD	AUTEN DIANA L & HAROLD L JR	Retail	(GB)

074-342444-00.000	5000 WALNUT RD	MILLER ROSALIE A & ROSE A	Residential	(GB)
074-342450-00.000	5000 WALNUT RD	MILLER ROSALIE A & ROSE A	Residential	(GB)
074-338844-00.000	4992 WALNUT RD	BUCKEYE LAKE VIEW RENTALS LLC	Residential	(GB)
074-342390-00.000	4980 WALNUT RD	PAULUS LLOYD D ET AL CO TRUSTEES	Vacant Lot	(GB)
074-342396-00.000	WALNUT RD	PAULUS LLOYD D ET AL CO TRUSTEES	Vacant Lot	(GB)
074-344028-00.000	4962 WALNUT RD	CONDON MARK	Residential	(GB)
074-338892-00.000	4944 WALNUT RD	4944 WALNUT LLC	Retail	(GB)
074-344100-00.000	4928 WALNUT RD	J&L HOMES LLC	Residential	(GB)
074-339132-00.000	4924 WALNUT RD	VILLAGE OF BUCKEYE LAKE	Government (Vacant Lot)	(GB)
074-338766-00.000	4894 WALNUT RD	PAPE INVESTMENTS LLC	Retail / Office	(GB)
074-338190-00.000	4852 WALNUT RD	JACKSONTOWN UNITED METHODIST CHURCH	Churches	(GB)
074-339018-00.000	4834 WALNUT RD SE	T&S DEVELOPMENT	Residential	(GB)
074-338640-00.000	4822 WALNUT RD	DAVIS LEISA	Residential	(GB)
074-338166-00.000	4806 WALNUT RD	DAVIS LEISA K	Office	(GB)
074-338004-00.000	4796 WALNUT RD	DAVIS ADRIAN T & RHONDA J	Residential	(GB)
074-338136-00.000	4780 WALNUT RD	COMMUNITY REDEVELOPMENT PARTNERS LLC	Residential / Apartments	(GB)
074-339102-00.000	4772 WALNUT RD	DEERE ENTERPRISES LLC	Residential	(GB)
074-335490-00.000	4760 WALNUT RD	JONES ESTATES LEISURE VILLAGE LLC	Vacant Lot	(GB)
074-335490-00.000	4730 WALNUT RD	JONES ESTATES LEISURE VILLAGE LLC	Vacant Lot	(GB)
074-335490-00.000	4720 WALNUT RD	JONES ESTATES LEISURE VILLAGE LLC	Residential	(GB)
074-335706-00.000	4672 WALNUT RD	LT PIZZA BUCKEYE LAKE LLC	Storage / Parking Lot	(GB)
074-335790-00.000	4592 WALNUT RD	LT PIZZA BUCKEYE LAKE LLC	Food & Drink	(GB)
074-335652-00.029	4595 WALNUT RD	4595 WALNUT RD LLC		(GB)
074-335652-00.028	4675 WALNUT RD	TERRY FAMILY LLC & 204 PATTERSON RD LLC		(GB)
074-335652-00.032	4717 WALNUT RD	MUSE CLYDE F III & CLAUDIA C		(GB)
074-335652-00.030	4729 WALNUT RD	GREATER BUCKEYE LAKE HISTORICAL SOCIETY INC	Entertainment	(GB)
074-343284-00.000	5 COTTAGE ST	HOSKINSON RANDALL A & LINDA A (LE) ET AL	Residential	(GB)
074-335652-00.021	20 ROSEBRAUGH CIR W	THOMPSON TOMMY D & PAMELA S	Residential	(GB)
074-343440-00.000	5 ROSEBRAUGH CIR W	TERRY FAMILY LLC	Residential	(GB)
074-335652-00.023	4785 WALNUT RD	7 ROSEBRAUGH LLC	Residential	(GB)
074-343170-00.000	23 ROSEBRAUGH CIR E	HAUCK JONATHAN M	Residential	(GB)
074-343386-00.000	5 ROSEBRAUGH CIR E	YOUNG BRIAN P & MARINACCI-YOUNG ANGELINA	Residential	(GB)
074-343062-00.000	4821 WALNUT RD	SUNSHINE HOUSING LLC	Residential	(GB)

074-342888-00.000	4831 WALNUT RD	STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES	Parking Lot	(GB)
074-343458-00.000	4841 WALNUT RD	WEAVER JANET Y	Residential	(GB)
074-342984-00.000	4855 WALNUT RD	SUNKLE-ZIGAN TYNIKA SHANTEL	Retail	(GB)
074-342924-00.000	4865 WALNUT RD	VADIA MARIE	Residential	(GB)
074-343038-00.000	4875 WALNUT RD	VADIA MARIE	Residential	(GB)
074-333024-00.002	4921 NORTH BANK RD	JARVIS BETH	Residential	(GB)
074-338724-00.011	4945 WALNUT RD	LAKESIDE TOWNHOMES ASSOCIATION	Residential / Condos	(R2)
074-339096-00.000	4993 WALNUT RD SE	4993 WALNUT RD LLC	Residential	(R2)
074-343920-00.000	5023 WALNUT RD	GRUBB WALTER S	Residential	(GB)
074-338028-00.000	31 TANNER ST	CLENDENIN NORMA J & CLENDENIN MARK	Residential	(GB)
074-343692-00.000	51 TANNER ST	BLAKE DONA S TRUSTEE	Residential	(GB)
074-343494-00.000	WALNUT RD	BUCKEYE LAKE YACHT CLUB INC	Vacant Lot	(GB)
074-341588-00.000	WALNUT RD	BUCKEYE LAKE YACHT CLUB INC	Vacant Lot	(GB)
074-342828-01.000	5041 WALNUT RD	BUCKEYE LAKE YACHT CLUB INC	Parking Lot / Storage	(GB)
074-343488-00.000	5065 WALNUT RD	BUCKEYE LAKE YACHT CLUB INC	Parking Lot	(GB)
074-335760-00.000	5109 NORTH BANK RD	BUCKEYE LAKE YACHT CLUB	Food & Drink	(WB)
074-343230-00.000	5119 NORTH BANK RD	SCHELL JANE K	Residential	(WB)
074-335652-00.000	5139 NORTH BANK RD	COCONIS RANDALL L TRUSTEE	Residential	(WB)
074-343554-00.000	5147 NORTH BANK RD	TRD BUCKEYE LAKE DEVELOPMENT COMPANY LLC	Food & Drink	(WB)
074-335964-00.000	5171 NORTH BANK RD	TRD BUCKEYE LAKE DEVELOPMENT COMPANY LLC	Food & Drink	(WB)
074-343902-00.000	5179 NORTH BANK RD	TORO JUAN C & DAUBENMIRE CARA C	Residential	(WB)
074-338250-00.000	5097 WALNUT RD	LCG REAL ESTATE LLC	Medical	(GB)
074-335796-01.000	CHURCH ST	CHURCH 11 LLC	Storage	(GB)
074-335584-00.000	WALNUT RD	BISHOP OF THE DIOCESE OF CO	Churches	(GB)
074-335748-00.000	5187 WALNUT RD	BISHOP OF CATHOLIC DIOCESE CAMPBELL FREDERICK F	Churches	(GB)
074-335868-00.000	BUCKEYE LAKE YACHT CLUB	5233 WALNUT RD	Storage	(WB)
074-335742-00.026	NORTH VALLEY BANK	5245 WALNUT RD	Financial / Service	(WB)

V. Qualifying Permit Holders

In accordance with Revised Code 4301.82(D)(1), the DORA will encompass not fewer than four (4) qualified permit holders. There are currently nine (9) qualified permit holders that will be included in the DORA.

Business Name	Address
BARREL BAR UNIT A & PATIO	4675 WALNUT RD SE BUCKEYE LAKE, OHIO 43008
LOUIES CORNER HOUSE	11174 HEBRON RD & BEER GARDEN BUCKEYE LAKE, OHIO 43008
LOUIES CORNER HOUSE & BEER GARDEN	11174 HEBRON RD PO BOX 427 BUCKEYE LAKE, OHIO 43008
PIZZA COTTAGE	4592 WALNUT RD SE BUCKEYE LAKE, OHIO 43008
BUCKEYE LAKE BREWERY	5176 WALNUT RD & PATIOS BUCKEYE LAKE, OH 43008
PIZZA COTTAGE	4592 WALNUT RD 1ST FL & PATIO BUCKEYE LAKE, OHIO 43008
Margaritas at Buckeye Lake LLC	4675 Walnut Rd unit H Pobox 2268 Buckeye Lake OHIO 43008
Kulture Kitchen Authentic Foods LLC	4675 Walnut Rd unit H Pobox 2268 Buckeye Lake OHIO 43008
TRD Buckeye Lake Development Co LLC	5171 North Bank Rd PoBox 672 Buckeye Lake, OHIO 43008

The Buckeye Lake Yacht Club is not included in the DORA as Watkins Island is in Union Township and not part of the incorporated Village of Buckeye Lake.

VI. Land Use and Zoning

In accordance with Revised Code 4301.82(B)(4), the uses of the land within the proposed DORA are zoned General Business (GB) or Waterfront Business (WB), both of which permit a variety of mixed uses, including professional uses, government offices, food and drink, entertainment, and residential, in accordance with the Village Zoning plan. See Section III above for additional details.

VII. Public Health and Safety

In accordance with Revised Code 4301.82(B)(5), the proposed requirements for the purpose of ensuring public health and safety within the DORA shall include:

Outdoor Dining in Right of Way:

Qualifying permit holders that desire to sell alcoholic beverages as part of providing an outdoor dining area in the Village right of way (adjacent to the establishment), must comply with current and future requirements of the Village for right of way use, and the DORA, which shall include application for a DORA permit. Qualifying permit holders must submit a sanitation plan, and the physical layout of the tables, chairs and other facilities to among other things comply with ADA requirements. It is anticipated that the bussing of tables will be required and/or adequate trash cans be in place. Additionally, the permit review will ensure that there are adequate pedestrian passageways and that ingress/egress for emergency services is adequate. Failure to comply with the requirements of the permit can result in revocation.

Special Events:

The Village requires that each special event using Village property receive a permit from the Village. Permit requirements may differ between events depending on size, layout use of right of way, and program. However, each event will be reviewed to ensure that adequate sanitation, signage and public safety requirements are established. The necessity for portable bathrooms, handicap accessibility, pedestrian mobility, police, fire and emergency medical ingress and egress, crowd control, DORA boundary management and trash management (dumpsters, cans, pick-up, etc.) will be addressed. Event organizers may be required to pay for special duty officers or overtime for public service or safety workers if necessary to ensure adequate health, public and safety requirements.

Village DORA Safety Plan:

The Safety Plan will help maintain public safety within the DORA and designate the number of personnel needed to execute the Safety Plan. This will be accomplished in the following manner.

Current Public Safety personnel, with mutual aid from neighboring communities, are adequate to maintain public safety within the DORA district. The Village of Buckeye Lake Police Department (VBLPD) currently staffs according to need, including for known special events, and will adjust personnel schedules to maintain public safety within the DORA.

Beginning with the commencement of the DORA and continuing throughout the first complete lake-season (May through September) the DORA, the Mayor, Police Chief, Fire Chief, and Chair of the Public Safety Committee shall meet monthly to review the Safety Plan for the DORA. Thereafter, the Mayor, Police Chief, Fire Chief, and Chair of Public Safety Committee shall meet at least quarterly, or at any time any member requests a meeting to review the Safety Plan.

The purpose of these meetings shall be to determine whether updates or modifications may be advisable or required, and if so, to present the same to Council for consideration and implementation.

The police chief and fire chief shall meet with the owner or supervising manager of each qualifying permit holder within the DORA, to review establishment safety plans each March and at least one other time throughout each lake-season.

The Mayor and Council shall meet annually, commencing in January 2026, to discuss and review DORA requirements and whether or not the DORA should continue or be discontinued.

VIII. DORA Approval Process

Revised Code 4301.82(C) provides a specific process and timeline to reviewing and approving or disapproving of this DORA application. Specifically,

1. Within forty-five (45) days of the filing of this application with the Clerk of Council, notice of this application must be published in at least one newspaper of general circulation and a copy of the application must be on file for inspection at the Village Offices. The notice must also include the date and time of a public hearing regarding the DORA application.
2. No earlier than thirty (30) days after initial notice of the application is published, and not later than sixty (60) days after initial notice of the application is published, Council must approve or disapprove of the application.
3. If approved, the DORA is established and Council must provide the Division of Liquor Control and the Investigative Unit of the Department of Public Safety notice of the approval of application and a description of the DORA.

Therefore, this Application having been filed with the Clerk of Council on September 30, 2024, Council's timelines is as follows:

1. Notice of the application must be published no later than November 14, 2024.
2. Council must vote to approve or disapprove the application between December 14, 2024 and January 13, 2025, presuming Council does not publish notice of this application until November 14, 2024.
3. The dates for a vote of approval or disapproval may change, should Council publish notice of this application prior to November 14, 2024.

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