

TEMPORARY RESOLUTION NO. 45-19

PERMANENT RESOLUTION NO. 50-19

A RESOLUTION APPROVING AN APPLICATION FOR PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT PURSUANT TO OHIO REVISED CODE SECTION 929.02

WHEREAS, Michael J. Scholl, 1453 Schwilk Road, Lancaster, Ohio, has filed an Application for Placement of Farmland in an Agricultural District dated March 1, 2019 with the Fairfield County Auditor's Office pursuant to Ohio Revised Code Section 929.02(A); and

WHEREAS, a copy of the Application for Placement of Farmland in an Agricultural District dated March 1, 2019 was received by the Clerk of City Council on March 4, 2019 and is attached hereto as Exhibit A; and

WHEREAS, pursuant to Ohio Revised Code Section 929.02(B) an application which includes property within a municipality requires the applicant file the application with the municipal legislative authority for approval, modification, or rejection; and

WHEREAS, the 594.68 acres in the application have a farm base address of 4600 Duffy Road, Lancaster, Ohio and an applicant address of 1453 Schwilk Road, Lancaster, Ohio and all or a portion of the application acreage is in the City of Lancaster, Ohio; and

WHEREAS, Ohio Revised Code Section 929.02(B)(1) states that the City's criteria to consider in approving, rejecting or modifying such an application is that it is "necessary to prevent a substantial, adverse effect on the provision of municipal services within the municipal corporation, efficient use of land within the municipal corporation, the orderly growth and development of the municipal corporation, or the public health, safety, or welfare; and

WHEREAS, City Council must hold a public hearing on the Application for Placement of Farmland in an Agricultural District within thirty (30) days of receiving the application and must render a decision on the application within thirty (30) days of the public hearing;

BE IT RESOLVED BY COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That the Application for Placement of Farmland in an Agricultural District submitted by Michael J. Scholl, 1453 Schwilk Road, Lancaster, Ohio, for 594.68 acres having a farm base address of 4600 Duffy Road, Lancaster, Ohio is hereby approved.

SECTION 2. That the Council Clerk is hereby directed to notify the applicant and the Fairfield County Auditor of this decision pursuant to the requirements of Ohio Revised Code Section 929.02.

SECTION 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: 4/8/19 after 3<sup>rd</sup> reading. Vote: Yeas 9 Nays 0

Date Approved: 4/11/19

Clerk: Teresa Lee Sandy

Offered by: [Signature]

Second by: [Signature]

Requested by Law Committee

\_\_\_\_\_  
President of Council  
[Signature]  
\_\_\_\_\_  
Mayor

APPLICATION FOR PLACEMENT OF  
FARMLAND IN AN AGRICULTURAL DISTRICT  
(O.R.C. Section 929.02)

(See pages 5 & 6 for General Information regarding this Application)

INSTRUCTIONS FOR COMPLETING APPLICATION

Print or type all entries.

- o List description of land as shown on the most recent tax statement or statements. Show total number of acres.
- o Describe location of property by roads, etc., and taxing district where located.
- o State whether any portion of land lies within a municipal corporation.
  - o Note: See "Where to File" on page 5 to be sure that a copy of this Application is also filed with the Clerk of the municipal legislative body as well as the County Auditor.
- o A renewal application must be submitted after the first Monday in January and prior to the first Monday in March of the year in which the agricultural district terminates for the land to be continued in this program.
- o If the acreage totals 10 acres or more, do not complete Part D.
- o If the acreage totals less than 10 acres, complete either D (1) or (2).
- o Do not complete page 4. This space to be completed by the County Auditor and/or Clerk of the municipal legislative body.

A. Owner's Name: Michael J. Scholl

Owner's Address: 1453 Schwilk Road, Lancaster, OH 43130

Description of Land as Shown on Property Tax Statement: ALONG DUFFY + SCHWILK  
ROADS - BERNE TWP.

Location of Property: FARM BASE 4600 DUFFY RD, Fairfield  
Street or Road County

<u>TAX DISTRICT(S)</u>	<u>PARCEL NUMBER(S)</u>	<u># of Acres</u>
------------------------	-------------------------	-------------------

PLEASE SEE ATTACHED LIST.

TOTAL #A 594.68



<u>TAX DISTRICTS</u>	<u>PARCEL NUMBERS</u>	<u># OF ACRES</u>
<u>004</u>	<u>00102-10</u>	<u>5.51</u>
<u>004</u>	<u>00089-00</u>	<u>29.68</u>
<u>006</u>	<u>01561-00</u>	<u>62.08</u>
<u>004</u>	<u>00050-00</u>	<u>100.00</u>
<u>006</u>	<u>01529-10</u>	<u>10.10</u>
<u>004</u>	<u>00102-00</u>	<u>34.23</u>
<u>053</u>	<u>50313-00</u>	<u>62.24</u>
<u>006</u>	<u>01546-00</u>	<u>131.00</u>
<u>006</u>	<u>01537-00</u>	<u>15.17</u>
<u>006</u>	<u>01550-00</u>	<u>58.96</u>
<u>006</u>	<u>01549-00</u>	<u>40.00</u>
<u>053</u>	<u>50050-00</u>	<u>45.71</u>
<u>TOTAL NUMBER OF ACRES</u>		<u>594.68</u>

B. Does any of the land lie within a municipal corporation limit or subject to pending annexation?  
 Yes  No

If YES, REMEMBER a copy of this application must be submitted to the Clerk of the municipal legislative body.

C. Is the land presently being taxed at its current agricultural use valuation under Section 5713.31 of the Ohio Revised Code? Yes  No

1. If "NO" complete the following showing how the land was used the past three years:

	<u>LAST YEAR</u> Acres	<u>TWO YEARS AGO</u> Acres	<u>THREE YEARS AGO</u> Acres
Cropland			
Permanent Pasture used for animal husbandry			
Woodland devoted to commercial timber and nursery stock			
Land Retirement or Conservation Program pursuant to an agreement with a federal agency			
Building areas devoted to agricultural production			
Roads, building areas, and all other areas not used for agricultural production			
Total Acres			

D. Does the land for which the application is being made total 10 acres or more devoted exclusively to agricultural production or devoted to and qualified for payments or other compensation under a land retirement or conservation program under an agreement with an agency of the federal government?

Yes X No \_\_\_\_\_

If "No," complete the following:

1. Attach evidence of the gross income for each of the past 3 years, if the average yearly income from agricultural production was at least twenty-five hundred (\$2,500.00) dollars or more, or
2. If the owner anticipates that the land will produce an annual gross income of twenty-five hundred (\$2,500.00) dollars or more, evidence must be attached showing the anticipated gross income.

**Authorization and Declaration**

By signing this application I authorize the county auditor or his duly appointed agent to inspect the property described above to verify the accuracy of this application. I declare this application (including accompanying exhibits) has been examined by me and to the best of my knowledge and belief is a true, accurate and correct application. I understand that land removed from this program before the 5-year enrollment period is subject to penalty, in accordance with Section 929.02(D) of the Ohio Revised Code.

Michael J. Scholl  
Signature of Owner

Rebecca S. Scholl Date: 3/1/19

MICHAEL J. SCHOLL

REBECCA S. SCHOLL

DO NOT COMPLETE FOR OFFICIAL USE ONLY

CAUV Application No. \_\_\_\_\_

Action of County Auditor

Application Approved \_\_\_\_\_ Rejected \_\_\_\_\_ \*

Date Application Filed with County Auditor \_\_\_\_\_

Date Filed (if required) with Clerk of Municipal Corporation \_\_\_\_\_

County Auditor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Date Decision Mailed to Applicant \_\_\_\_\_ Certified Mail No. \_\_\_\_\_

\*\*\*\*\*

Action of Legislative Body of Municipal Corporation

Application Approved \_\_\_\_\_ Approved with Modifications \_\_\_\_\_ \* Rejected \_\_\_\_\_ \*

Date Application Filed with Clerk \_\_\_\_\_

Date of Public Hearing \_\_\_\_\_

Date of Legislative Action \_\_\_\_\_

Clerk's Signature \_\_\_\_\_ Date \_\_\_\_\_

Date Decision Mailed to Applicant \_\_\_\_\_ Certified Mail No. \_\_\_\_\_

\* IF MODIFIED OR REJECTED, ATTACH SPECIFIC REASONS FOR MODIFICATION OR REJECTION