

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

New Application \_\_\_\_\_  
Renewal Application

(See page 4 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.  
Note: See "Where to File" on page 4 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 3. This space to be completed by the County Auditor and/or Clerk of the municipal legislative body.

A. **Owner's Name:** DAVID & LISA L. SCHACHT

**Owner's Address:** 5950 SHANNON RD  
CANAL WINCHESTER, OHIO 43110

**Description of Land as Shown on Property Tax Statement:**

490-193733	101	CASA GRAN / GENERAL PASTURE
530-166401	100	AGRICULTURAL VACANT LAND
180-005323, 005324, 005339		501 VACANT, UNPLOT RES. LAND

**Location of Property:**  
Street or Road- 490 - SHANNON RD; 530 - BRICE RD; 180 - BIXBY RD  
County- FRANKLIN

TAX DISTRICT(S)	PARCEL NUMBER(S)	# of Acres
CITY OF COLUMBUS	490-193733-00	130.-
CITY OF COLUMBUS	530-166401-00	43.-
<b>Total Number of Acres</b>		<b>173.-</b>

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

If NO, complete the following showing how the land was used the past three years:

	<u>ACRES</u>		
	LAST YEAR	TWO YEARS AGO	THREE YEARS AGO
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			
<b>Total Acres</b>			

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?

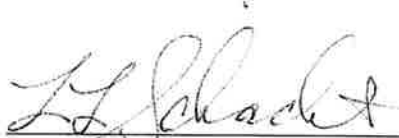
Yes  No

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.

  
 \_\_\_\_\_  
 Signature of Owner

Date: 02/18/2022

DO NOT COMPLETE FOR OFFICIAL USE ONLY

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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

## INFORMATION FOR PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT

### A. WHO MAY FILE?

Any owner of land used for agricultural production may file an application to have the land placed in an agricultural district.

### B. WHERE TO FILE

The completed application must be filed with the auditor of the county where the land is located. The applicant will be notified of action taken by the county auditor within 30 days of the filing of the application if the land is not within a municipal corporation or an annexation petition has not been filed. If the land for which an application has been made lies within a municipal corporation limit or if an annexation petition that includes the land has been filed with the Board of County Commissioners under Section 709.02 of the Ohio Revised Code, a copy of the application must also be filed with the Clerk of the legislative body of the municipal corporation. The legislative body is required to conduct a public hearing on the application within 30 days after the application has been filed with the Clerk. Within 30 days of the hearing, the legislative body may approve the application, modify and approve the application as modified, or reject the application.

### C. WHEN TO FILE AND RENEWAL

The original application may be filed at any time for placement of land in an agricultural district for a five-year period. If at the end of five years, the owner decides to keep some or all of his or her land in a district, he or she shall submit a renewal application and must meet the same land requirements and use the same application process as the original application. The renewal application may be filed at any time after the first Monday in January and prior to the first Monday in March of the year during which an agricultural district terminates, for a period of time ending on the first Monday in April of the fifth year following the renewal application.

### D. WHAT IS "LAND USED FOR AGRICULTURAL PRODUCTION?"

In accordance with Section 929.01(A) of the Revised Code, land is devoted to "agricultural production" when it is used for commercial aquaculture, apiculture, animal husbandry, poultry husbandry; the production for a commercial purpose of field crops, tobacco, fruits, vegetables, timber, nursery stock, ornamental shrubs, ornamental trees; flowers or sod; the growth of timber for a noncommercial purpose if the land on which the timber is grown is contiguous to or part of a parcel of land under common ownership that is otherwise devoted exclusively to agricultural use; or any combination of such husbandry, production, or growth; and includes the processing, drying, storage and marketing of agricultural products when those activities are conducted in conjunction with such husbandry, production, or growth.

"Agricultural production" includes conservation practices provided that the tracts, lots, or parcels of the land or portions thereof that are used for conservation practices comprise not more than twenty-five percent of tracts, lots, or parcels of land that are otherwise devoted exclusively to agricultural use and for which an application is filed.

"Conservation practices" are practices used to abate soil erosion as required in the management of the farming operation, and include, but are not limited to, the installation, construction, development, planting, or use of grass waterways, terraces, diversions, filter strips, field borders, windbreaks, riparian buffers, wetlands, ponds, and cover crops for that purpose.

### E. WHAT DOES "TRACTS, LOTS, OR PARCELS OF LAND" MEAN?

Tracts, lots, or parcels mean distinct portions of pieces of land (not necessarily contiguous) where the title is held by one owner, as listed on the tax list and duplicate of the county, is in agricultural production and conforms with the requirements of either D1, D2, or D3 below.

### F. ARE THERE ANY OTHER REQUIREMENTS?

1. The land for which the application is made must have been used exclusively for agricultural production or devoted to and qualified for payments or other compensation under a land retirement or conservation program under an agreement with a federal agency for the three consecutive calendar years prior to the year in which application is made. Evidence must be shown on the application. If the land contains timber which is not being grown for commercial purposes the land on which the timber is growing must be contiguous to or part of a parcel under common ownership that is otherwise devoted exclusively to agricultural use.
2. If the total amount of land for which application is made is less than 10 acres, there is an additional requirement that the applicant submit evidence with his application that the activities conducted on the land have produced an average yearly gross income of at least twenty-five hundred dollars over the three years immediately preceding the year in which application is made or that the land will produce an anticipated annual gross income of that amount.
3. Evidence of annual gross income may be satisfied by attaching to the application form a short statement stating the number of animals by species and anticipated market value, number of acres of crops to be grown, their expected yield and price per bushel or similar specific information.

### G. IS THERE A PENALTY FOR EARLY WITHDRAWAL?

Land removed from this program before the 5-year enrollment period is subject to penalty, per Section 929.02(D) of the Ohio Revised Code. See County Auditor's Office for details on how the amount of the withdrawal penalty is determined.

### H. APPEAL OF APPLICATION

The applicant may appeal the denial of the application to the court of common pleas of the county in which the application was filed within thirty days of the receipt of the notice denying the application. When the land lies within a municipality the applicant may also appeal a decision to modify or reject an application to the court of common pleas of the county in which the application was filed within thirty days of the receipt of the notice of modification or rejection. In addition, the applicant may withdraw an application modified by a legislative body if he or she disapproves of the modifications.



# City of Columbus Legislation Report

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

*FOR REFERENCE  
COPY OF 2017 ORDINANCE*

File Number: 1092-2017

30-Day

File ID: 1092-2017

Type: Ordinance

Status: First Reading

Version: 1

\*Committee: Economic Development Committee

File Name: 2017 Agricultural District Designation: Schacht and  
Peters farms

File Created: 04/18/2017

Final Action:

Auditor Cert #:

Auditor: When assigned an Auditor Certificate Number I , the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

Contact Name/No.: Alex Beim 645-8791

Floor Action (Clerk's Office Only)

MAY 08 2017 P 6-0

**TYSON ABSENT**

Mayor's Action

MAY 09 2017

Mayor

Date

Council Action

MAY 08 2017

Date Passed/ Adopted

President of Council

City Clerk

Veto

Date

**Title:** To approve the applications of David and Lisa Schacht to designate 129.8 acres of farmland at 5950 Shannon Road and 43.1 acres of farmland at 3701 Brice Road and Peters Family Farm to designate 182.4 acres farmland on the east side of Lockbourne Road south of SR 317 respectively as agricultural districts pursuant to ORC Section 929.02.

Sponsors:

Attachments:

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 1092-2017 passed by The Council of The City of Columbus, Ohio 5/8, 20 17, as shown by the records now on file in this office.

Seal

City Clerk



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**Approval History**

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Version	Seq #	Action Date	Approver	Action	Due Date
1	1	4/20/2017	DEVELOPMENT DIRECTOR	Approved	4/20/2017
1	2	4/20/2017	ATTORNEY APPROVER	Approved	4/24/2017

Notes: wsb

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**History of Legislative File**

Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
	<p><b>EBOCO:</b> Following review and approval, when required, the Equal Business Opportunity Commission Office certifies compliance with Title 39 as of date listed.</p> <p><b>City Attorney:</b> Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to its form and legality only.</p>						

**Explanation**

**BACKGROUND:**

This ordinance is submitted to City Council in response to two applications to establish Agricultural Districts within the City of Columbus. The Agricultural District designation was created by the Ohio General Assembly and is governed by Chapter 929 of the Ohio Revised Code (ORC). The five-year designation provides certain protections to farmers against utility assessment, nuisance civil actions, and land appropriation. David and Lisa Schacht have filed an application for renewal for a 129.8 acres tract (PID 490-193733) located at 5950 Shannon Road with the addition of a new 43.1 acres tract (PID 530-166401) located at 3701 Brice Road. Peters Family Farm, Inc. has filed an application for renewal for a 182.4 acres tract (PID 495-263119) on the east side of Lockbourne Road south of SR 317. All properties are actively farmed. Both applications were received by the City Clerk's Office on March 17, 2017. The ORC requires that the City hold a hearing to consider the designation within 30 days of receiving an application. A hearing was held on April 11, 2017 at which there was no opposition to the applications. The ORC further requires that City Council act on the application within 30 days of the hearing. These applications would renew two existing designations, established through Franklin County and provide one new designation. The Administration has reviewed the applications and determined that they meet the provisions of the ORC and recommends that they be approved.

**FISCAL IMPACT:**

The designation of an Agricultural District will have no fiscal impact.

**Title**

To approve the applications of David and Lisa Schacht to designate 129.8 acres of farmland at 5950 Shannon Road and 43.1 acres of farmland at 3701 Brice Road and Peters Family Farm to designate 182.4 acres farmland on the east side of Lockbourne Road south of SR 317 respectively as agricultural districts pursuant to ORC Section 929.02.

**Body**

**WHEREAS**, section 929.02 of the Ohio Revised Code provides for the designation of Agricultural Districts; and

**WHEREAS**, an application to designate 172.9 acres of farmland (PIDs 490-193733 and 530-166401) as an Agricultural District has been filed by David and Lisa Schacht and received by the City Clerk's Office on March 17, 2017; and

**WHEREAS**, an application to designate 182.4 acres farmland (PID 495-263119) as an Agricultural District has been filed by Peters Family Farm, Inc. and received by the City Clerk's Office on March 17,



2017; and

**WHEREAS**, a public hearing was held on April 11, 2017 at which there was no opposition to the applications; and

**WHEREAS**, the Administration has reviewed the applications and determined that they meet the provisions set forth in the Revised Code and further recommends that they be approved; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That pursuant to section 929.02 of the Ohio Revised Code the applications received by the City Clerk's Office on March 17, 2017 of David and Lisa Schacht to designate 172.9 acres of farmland (PIDs 490-193733 and 530-166401) and Peters Family Farm to designate 182.4 acres farmland (PID 495-263119) respectively as Agricultural Districts are hereby approved.

**Section 2.** That within five (5) days of the passage of this ordinance, the City Clerk is hereby authorized and directed to indicate Council's action on the applications and send a certified copy of this ordinance by certified mail, return receipt requested, to: David and Lisa Schacht, 5950 Shannon Road, Canal Winchester OH 43110; and Peters Family Farms Inc., 5812 Lockbourne Road, Lockbourne OH 43137. A certified copy of the ordinance shall also be sent to the Franklin County Auditor, care of Margie Betts, 373 South High Street, 20th Floor, Columbus, OH 43215.

✓  
5/12/17  
WJG-R

**Section 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.





Lisa Schacht  
5950 Shannon Rd  
Canal Winchstr, OH 43110



COLUMBUS OH 430  
18 FEB 2022 PM 2 L

COLUMBUS CITY CLERK  
2022 JAN 13 AM 10: 24

OFFICE OF City Clerk  
90 W. BROAD ST  
Columbus, OH

43215-9015

43215-901599

