

INSTRUCTIONS AND INFORMATION
FOR COMPLETING APPLICATION FORM

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. WHAT IS LAND USED FOR AGRICULTURAL PRODUCTION?

Land is devoted to agricultural production when it is used for commercial, apiculture, animal husbandry, poultry husbandry; the production for commercial purposes of field crops, tobacco, fruits, vegetables, timber, nursery stock, ornamental shrubs and trees; flowers or sod; or any combination of such husbandry or production including, but not limited to, the processing, drying, storage and marketing of agricultural products.

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

Tracts, lots, or parcels mean distinct portions or pieces of land (not necessarily contiguous) where the title is held by one common ownership, 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.

D. IS 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 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. The applicant must submit evidence with his/her application that shows the activities conducted on the land have produced an average yearly gross income of at least twenty-five hundred dollars, or show that the land will produce an anticipated annual gross income of that amount. This must cover the three years immediately preceding the year in which application is made.
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 specified information.

E. INSTRUCTIONS FOR COMPLETING APPLICATION.

1. Print or type all entries.
2. List description of land as shown on the most recent tax statement or statements.
3. Show total number of acres.
4. Describe location of property by roads, etc., and taxing district where located.
5. State whether any portion of the land lies within a municipal corporation.
6. For land to be taxed at the Current Agricultural Use Valuation, an initial application must be submitted to and be approved by the County Auditor and a renewal application must be submitted each year thereafter for land to be continued in the CAUV program.
7. If the acreage totals 10 acres or more, do not complete part D.
8. If the acreage totals less than 10 acres, complete either D (1) or (2).
9. Do not use the space at the bottom of the form below the dotted line.

F. 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 any 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, or if an annexation petition that includes the land has been filed with the Board of County Commissioners under Section 709.03 of the Revised Code, the application must also be filed with the Clerk of the legislative body of that 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.

G. WHEN TO FILE.

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/her land in a district, he/she shall reapply 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 expires.

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 (30) 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 (30) 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/she disapproves of the modifications.

