



## Ohio Administrative Code

### Rule 901-2-04 Landowner Application procedure.

Effective: March 21, 2016

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(A) The open enrollment application period as set by the local sponsor shall not exceed ninety days.

(B) Application shall be made on a form approved by the director. The application must contain, but is not limited to, the following information:

(1) A resolution, ordinance, or recorded action from the local sponsor supporting the landowner's application, certifying the availability and committing to pay the required local match, if applicable, and agreeing to share legal responsibility to monitor, supervise, and enforce the agricultural easement.

(2) The printed name, address, telephone number, and signature of all owners of the application property, including land contract holders`.

(3) The municipality, county, township, and street address where the application property is located.

(4) The name, address, and telephone number of the person to be contacted regarding the application property if other than the landowner.

(5) Identification of any known restrictive covenants or third party interests.

(6) The current agricultural use value of the application property and the market value of the application property as determined by the county auditor's most recent assessment.

(7) The most recent copy of the real property record from the county auditor establishing that the application property is valued for purposes of real property taxation at its current value for agricultural use under section 5713.31 of the Revised Code, as applicable, in paragraph (A)(1) of rule 901-2-02 of the Administrative Code.



(8) The most recent copy of the real property record from the county auditor establishing that the application property is currently enrolled in an agricultural district as provided for in section 929.02 of the Revised Code, as applicable, in paragraph (A)(6) of rule 901-2-02 of the Administrative Code.

(9) A copy of the current owner's deed of record.

(10) A map or aerial photograph of the application property including delineated homestead area(s), existing roads and buildings, boundaries, total road frontage of the farm, known power easements, and any land excluded from the easement.

(11) A map or aerial photograph showing an adequate radius around the application property to include the proximity of the application farm from any protected properties (easement and non-easement), to neighboring applicant farms, accessible public roadway intersection(s), including boundaries, distance from sewer and water, interchanges, known pipelines, and/or any other reported distances supported in the application.

(12) Indication of:

(a) Proximity to other protected lands;

(b) Best management practices;

(c) Development pressure;

(d) Local comprehensive planning and farmland preservation efforts; and

(e) Other factors as determined by the director prior to each application funding round.

(C) The application shall contain a section approved by the county soil and water conservation district or the county natural resource conservation service, which includes, but is not limited to, the following:

(1) Total number of acres considered prime, unique, or locally important;



- (2) The date and status of the conservation plan, if any, which has been approved by the county soil and water conservation district or county natural resource conservation service; and
- (3) A color-coded soils map containing a list of soil mapping unit names and symbols on the application property.
- (D) If the application is being made by a charitable organization, then the application shall contain an ordinance or resolution supporting the agricultural easement from the township(s) and county(ies) where the application property is located.
- (E) The application must be signed by the local sponsor or its authorized representative completing the application.
- (F) The county or municipal planner, engineer or other qualified official as approved by the director must also sign the application to verify that all reported distances are accurate and complete.
- (G) No application shall be accepted which is:
- (1) Completed and postmarked after the closing date for submission;
  - (2) Incomplete, or not accompanied by all of the information required within the application.
- (H) Amendments to easement application will only be accepted if the amendment(s) is received prior to the application deadline.
- (I) During the application review process the department or the certified local sponsor may request clarification from an applicant\landowner and may provide an applicant an opportunity to correct typographical errors\defects in the application.
- (J) Applications must contain all material requested within the application. Any application failing to meet the requirements of the rule shall automatically be disqualified, unless the director believes that it is in the department's best interest to waive any defect in the application.