

RESOLUTION NO. 14-2012

Offered by All of Council

A RESOLUTION APPROVING THE APPLICATION FOR PLACEMENT OF A FARM IN AN AGRICULTURAL DISTRICT FOR PETER H. SCHUELER, 3472 REVERE ROAD, RICHFIELD, OHIO, AND DECLARING AN EMERGENCY

WHEREAS, this Council has received the application for placement of farm land in an Agricultural District from Peter H. Schueler, 3472 Revere Road, Richfield, Ohio, being Permanent Parcel No. 50-01820 consisting of approximately 125 acres; and

WHEREAS, on March 6, 2012, this Council conducted a public hearing on this matter at which no opposition was expressed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Richfield, Summit County, State of Ohio:

SECTION 1. That the application of Peter H. Schueler, 3472 Revere Road, Richfield, Ohio, to place approximately 125 acres of land (Permanent Parcel No. 50-01820) in an Agricultural District be, and the same hereby is, approved.

SECTION 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary in order to be effective before the first Monday in April 2012, when the current agricultural district designation will terminate; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 3/6/12

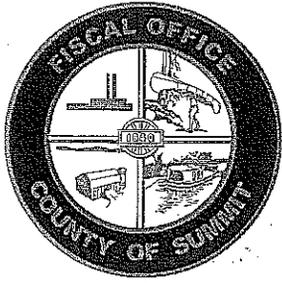
Michael Wheeler
President of Council

Debbie Deshan
Mayor

Dated: 3/6/12

ATTEST:

Carolyn E Sullivan
Clerk of Council



KRISTEN M. SCALISE CPA, CFE

Fiscal Officer
County of Summit

January 9, 2012

Peter Schueler
3472 Revere Rd
Richfield, OH 44286

Re: 50-01820

Peter,

You are currently enrolled in the Agricultural Farm District Program . This year you must renew your application to continue to participate in the program. Please complete the enclosed application if you wish to remain in the program for an additional five years. Please be sure to complete all questions and return application to the Village of Richfield by the first Monday in March.

Village of Richfield
4410 W. Streetsboro Rd
Richfield, OH 44286-0387

If you have any questions, please contact me at 330-643-2696.

Sincerely,

Kristen M. Scalise CPA, CFE
Summit County Fiscal Officer

Becky Glinsek
Deputy Fiscal Officer

AUDITOR DIVISION
175 S. Main Street
Akron, Ohio 44308
Phone: 330.643.2625
Fax: 330.643.2622

RECORDING DIVISION
175 S. Main Street
Akron, Ohio 44308
Phone: 330.643.2719

SERVICE DIVISION
1030 E. Tallmadge Ave.
Akron, Ohio 44310
Phone: 330.630.7226
Fax: 330.630.7240

TREASURER DIVISION
175 S. Main Street
Akron, Ohio 44308
Phone: 330.643.2606
Fax: 330.643.7760



Application For Placement Of Farmland
In An Agricultural District O.R.C. (Section 929.02)

(See Reverse Side For Instructions Before Completing Application)

New Application _____
Renewal Application X

Phone Number: 330-659-3096

A. Owner's Name: PETER H & KATHARINE A SCHUELER

Owner's Address: 3472 REVERE ROAD, RICHFIELD, OH 44286

Description of Land as shown on property tax statement: PARCEL # 50-01820, TRACT 3 LOTS 8E, 9W WEST OF REVERE ROAD

Location of Property: 3472 REVERE ROAD, RICHFIELD, OH 44286
(Address of Street or Road)

Parcel Number (s)
50-01820

Tax District (s)
RICHFIELD VILLAGE, REVERE LSD

Total Number Of Acres 124.29

B. Does any of the land lie within a municipal corporation limit? Yes X No _____

C. Is the land presently being taxed at its current agricultural use valuation under section 5713.31? O.R.C?
Yes X No _____

1. If you checked "no" above show the following evidence of land use:

	<u>Last Year</u> Acres	<u>Two Years Ago</u> Acres	<u>Three Years Ago</u> Acres
Cropland			
Permanent Pasture			
Woodland			
Land Retirement or Conservation Program			
Building Areas			
Roads and Waste			
Total Acres			

D. If the land for which application is being made is less than 10 acres then:

1. Attached evidence of the gross income for each of the past 3 years, or
2. If the owner anticipates that the land will produce an annual gross income of \$2500 or more, evidence must be attached showing the anticipated gross income.

By signing this application I authorize the Fiscal Officer or his duly appointed agent to inspect the property described above to verify the accuracy of this application. I declare this application (including accompany exhibits) has been examined by me and to the best of my knowledge and belief is a true, accurate and correct report.

Signature of Owner: Peter H. Schueler Date: Jan 27, 2012

Below This Line For Official Use Only

Fiscal Officer's Signature: _____ Date: _____

Date Filed (if required) with Clerk of Municipal Corporation: _____

Clerk's Signature: _____

Action of Legislative Body of Municipal Corporation: Application Approved _____

Approved With Modifications _____ Rejected _____

Date of Legislative Action: _____ Clerk's Signature: _____

- If Modified Or Rejected, Attach Specific Reasons For Modification Or Rejection

A. Who may file?

Any owner of land use 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 from 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 parcel 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 to the requirements of D1, D2, or D3.

D. 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 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 yields and price per bushel or similar specific information.

E. Instructions for completing application

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

F. Where to file?

The completed application must be filed with the Summit County Fiscal Office where the land is located. The applicant will be notified of action taken by the Fiscal Office 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 Summit County Fiscal Office under section 709.03 of the Ohio Revised Code. The application must also be filed with 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 the 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 land in a district, he shall re-apply 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 renewal application.

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 disapproves of the modifications.

2/15/07 - 12:25 p.m.

RESOLUTION NO. 11 -2007

Offered by All of Council

A RESOLUTION APPROVING THE APPLICATION FOR PLACEMENT OF A FARM IN AN AGRICULTURAL DISTRICT FOR PETER H. SCHUELLER, 3472 REVERE ROAD, RICHFIELD, OHIO, AND DECLARING AN EMERGENCY

WHEREAS, this Council has received the application for placement of farm land in an Agricultural District from Peter H. Schueller, 3472 Revere Road, Richfield, Ohio, being Permanent Parcel No. 50-01820 consisting of approximately 125 acres; and

WHEREAS, on February 20, 2007, this Council conducted a public hearing on this matter at which no opposition was expressed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Richfield, Summit County, State of Ohio:

SECTION 1 That the application of Peter H. Schueller, 3472 Revere Road, Richfield, Ohio, to place approximately 125 acres of land (Permanent Parcel No. 50-01820) in an Agricultural District be, and the same hereby is, approved.

SECTION 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary in order to be effective by March 5, 2007 filing date; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 2/20/07

CSULLIVAN Clerk of Council of the Village of Richfield, Ohio, hereby certify that the foregoing is a true and correct copy of Res 11-2007 adopted by the Council on 2-20-07.

Carolyn E Sullivan

ATTEST:

Carolyn E Sullivan
Clerk of Council

[Signature]
President of Council

[Signature]
Mayor

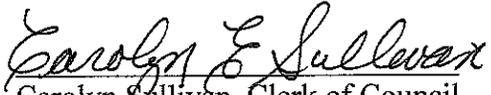
Dated: 2/20/07

**CERTIFICATION OF PUBLIC HEARINGS
PURSUANT TO SECTION 715.75 OF THE OHIO REVISED CODE**

State of Ohio)
) ss:
County of Summit)

On this 7th day of March, 2012, I Carolyn Sullivan as the Clerk of Council for the Village of Richfield, Ohio, hereby certify that a public hearing was held on March 6, 2012 regarding the proposed renewal of agricultural district inclusion for Peter Schueler farm 3472 Revere Rd. in accordance with the requirement of Section 715.75 of the Revised Code. Notice of the public hearings was published in the Akron Beacon Journal, a newspaper of general circulation in Summit County, Ohio. The Affidavits of Publication for the newspaper notices are attached as Exhibit A.

I also certify that during the thirty-day period prior to the public hearing, all of the following documents were available for public inspection in the Office of the Clerk of Council for the Village of Richfield, Ohio: 1)


Carolyn Sullivan, Clerk of Council
Village of Richfield

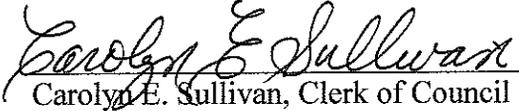
Public Hearing Posting Information

I, Carolyn Sullivan, of the Village of Richfield, Summit County, Ohio, do hereby certify that **Public Meeting Notice for Resolution 14-2012** was duly posted by the Council of the Village of Richfield, Summit County, Ohio on the 8th day of February, 2012. In addition to publication in Akron Beacon Journal, it has been posted in at least five (5) of the most public places in said Village as therefore determined by Council. Additionally it has been posted on the Village web site.

Most public places are:

- 1) Richfield Town Hall, 4410 Streetsboro Road
- 2) Richfield Police Department, 4410 West Streetsboro Road
- 3) United States Post Office, 3900 Broadview Road
- 4) Giant Eagle, 4428 Broadview Road
- 5) Richfield Senior Center, 4400 West Streetsboro Road
- 6) Richfield Library, 3761 S. Grant Street

Each posting is for a period of fifteen (15) days commencing on the 8th day of February, 2012.


Carolyn E. Sullivan, Clerk of Council

Carolyn Sullivan

From: Michael Wheeler [mwheeler@novexsystems.com]
Sent: Tuesday, February 07, 2012 1:59 PM
To: Brian Frantz
Cc: Bobbie Beshara; Carolyn Sullivan
Subject: RE: Agricultural Farm District Program - Request for Council Resolution

Put this on the work session for this evening

Michael Wheeler

Vice President
Novex Systems, LLC
6040 Hillcrest Drive
Valley View, Ohio 44125
Direct Dial: 216•503•5490
Fax: 216•503•5036
Cell: 440•263•2725
email: mwheeler@novexsystems.com

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From: Brian Frantz [<mailto:bfrantz@richfieldvillageohio.org>]
Sent: Tuesday, February 07, 2012 11:29 AM
To: Michael Wheeler
Cc: Bobbie Beshara; Carolyn Sullivan
Subject: Agricultural Farm District Program - Request for Council Resolution

Mike,

Pete Schueler dropped off a completed application (a county application) to renew his enrollment in the Agricultural Farm District Program offered through Summit County. This is a five year renewal and Council has passed resolutions (most recently in 2007-#11-2007) in the past approving the application to place his approximate 125 acre farm in an agricultural district. From speaking with Pete, it appears that this agricultural district provides him with a different type of financing if sewer were to be installed along his property frontage.

I know we have a busy Council agenda this evening but wanted to confirm if you would like this item to be presented tonight or wait until the next agenda on 21st. According to Pete, the item has to be addressed before the beginning of March. Please let me know how you would like me to proceed with this request.

Regards,

Brian

Brian M. Frantz, AICP
Planning and Zoning Director
Village of Richfield

* * * Communication Result Report (Feb. 8. 2012 11:57AM) * * *

1)
2)

Date/Time: Feb. 8. 2012 11:57AM

File No.	Mode	Destination	Pg(s)	Result	Page Not Sent
0416	Memory TX	3309963074	P. 2	OK	

Reason for error
 E. 1) Hang up or line fail
 E. 3) No answer
 E. 5) Exceeded max. E-mail size

E. 2) Busy
 E. 4) No facsimile connection

Village of Richfield
 4410 Streetsboro Rd
 P.O. Box 387
 Richfield, Ohio 44286-0387

Clerk of Council
 330 659-9201 Ext. 228
 330 659-2564 (Fax)

FAX TRANSMITTAL COVER

Company Name: Akron Beacon Journal, Legal Notices

Contact Name: Tammy

Fax Number: 330 996 3074

Sender: Carolyn Sullivan
 Clerk of Council
 Fax: 330 659-2564

Description: Please publish this Notice of Public Hearing in the February 10th edition.

Number of pages 1
 (not including cover):
 Date & Time Sent: 2-8-2012 11:54 a.m.

If there are any Problems with this transmission, please call: Carolyn Sullivan at (330) 659-9201 Ext. 228 immediately

Village of Richfield
4410 Streetsboro Rd
P.O. Box 387
Richfield, Ohio 44286-0387

Clerk of Council
330 659-9201 Ext. 228
330 659-2564 (Fax)

FAX TRANSMITTAL COVER

Company Name: Akron Beacon Journal, Legal Notices

Contact Name: Tammy

Fax Number: 330 996 3074

Sender: Carolyn Sullivan
Clerk of Council
Fax: 330 659-2564

Description: Please publish this Notice of Public Hearing in the February 10th
edition.

Number of pages 1
(not including
cover):
Date & Time Sent: 2-8-2012 11:54 a.m.

If there are any Problems with this transmission, please call: Carolyn Sullivan at (330)
659-9201 Ext. 228 immediately

NOTICE OF PUBLIC HEARING VILLAGE OF RICHFIELD

A public hearing has been scheduled for discussion of Resolution No. 14-2012 on Tuesday, March 6, 2012 at 7:45 p.m. in the Richfield Council Chambers, 4410 West Streetsboro Road.

Resolution 14-2012 approves the application for placement of Peter H. Schueler farm, 3472 Revere Rd. in an agricultural district. This is a renewal of this action.

Any person interested will be afforded an opportunity to be heard.

Carolyn Sullivan
Clerk of Council