

**NEW EBENEZER AGRICULTURAL AND FORESTAL DISTRICT ORDINANCE**  
**June 2, 2020**  
**As approved February 12, 2020**

**I. PURPOSE**

It is hereby declared to be the policy of the County of Loudoun to conserve, protect, and to encourage the development and improvement of its agricultural and forestal lands for the production of food and other agricultural and forestal products. It is also the policy of the County of Loudoun to conserve and protect agricultural and forestal lands as valued natural and ecological resources, which provide essential open spaces for clean air sheds, as well as for aesthetic purposes. It is the purpose of this Ordinance to provide a means by which agricultural and forestal land may be protected and enhanced as a viable segment of the County's economy and as an economic and environmental resource of major importance, pursuant to Title 15.2, Chapter 43 of the Code of Virginia (1950), as amended.

**II. CREATION OF DISTRICT**

The New Ebenezer Agricultural and Forestal District (hereinafter referred to as the "District") is hereby renewed for a period of four (4) years, beginning June 2, 2020, in accordance with the provisions of Title 15.2, Chapter 43, Sections 15.2-4300 through 15.2-4314, Code of Virginia (1950), as amended.

The District shall consist of 1619.87 acres more or less and include the following 43 parcels:

<b>PIN</b>	<b>Tax Map Number</b>	<b>Owner</b>	<b>Acres</b>
590152895000	/55///6///9A1/	SHANHOLTZER, MICHAEL E & JOYCE A	25.21
590253187000	/55///6///7A1/	ORMS, MARK H & LINDSAY H	31.8
591165432000	/55//16/////5A	MIDDOUR, JEFFREY A & SANDRA MAE	11.55
592162635000	/55/////////15D	BERNSTEIN, LUCY E & M DIAMOND	75.06
614154025000	/54///8///15/	MARTIN, JAMES THOMAS & A BAARNS	20
614452644000	/42//13/////2/	MIEHM, RUTH FREW TRUST	6.17
614456107000	/42//13/////1/	HOLTER, CORALYN & JORDAN A MIEHM	6.05
614484938000	/42/////////98A	HETHERINGTON, RICHARD G JR ET UX	42.52
615257848000	/54/////////56A	STANG, STEPHEN KARL & LARA LEE	10
615464519000	/54//16/////2/	JOHNSON, RICHARD LARRY TRUSTEE	104.5
616153983000	/54/////////47A	GORDON, MICHAEL J & GORDON, KATHERINE G	50.41
616491612000	/54/////////52/	BROWN, TIMOTHY M	27.54
617383014000	/54/////////40/	CUSHMAN, TYLER COLE & CUSHMAN, LAWRENCE	8.63
617387180000	/54/////////41/	COCHRAN, KYLE & RACHEL	33.15
<b>PIN</b>	<b>Tax Map Number</b>	<b>Owner</b>	<b>Acres</b>
617472127000	/54/////////44/	ANSCHTOSSEN ENTERPRISES LC	48.82
634189165000	/42///9/////2/	RAPP, CHRISTOPHER G & KIM	10.09

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634193114000	/42///9/////3/	KELLY, ANNE	10
635305365000	/42///9/////6B	HURST, RICHARD & KIMBERLY J	4.14
635373570000	/42///9/////16/	WOLF, DAVID M & CHINA R	10
635405402000	/42///9/////6C	HURST, RICHARD S & KIMBERLY K	6.51
635480318000	/42///9/////13/	SMITH, MARK H & PATRICE P	10.05
635497264000	/42///9/////4/	BROWN, ROBERT O & LINDA J	10.31
636267991000	/54//12///2A1/	OTWELL, JAMIE SUZANNE	10.92
636389503000	/54/////////5/	TANAMALA, ANITA & VIJAY K	180.71
637108064000	/54/////////48/	BEBIE, WENDY	76.7
638253068000	/54/////////23A	GABLE, BRADLEY J & MELINDA D	0.21
638262153000	/54/////////25/	GABLE, BRADLEY J & MELINDA D	102.82
638275395000	/54/////////26/	GABLE, BRADLEY J & MELINDA D	81.74
638402327000	/54/////////47/	BEBIE, WENDY	123.5
638478743000	/54/////////29/	SHAW, ALAN H & EDIE GRANDSTAFF-	2.45
651103256000	/53///8/////1B	SUTERMEISTER, RICHARD EDWIN WILSON TR &	19.38
652181215000	/53/////////43A	BEAVER CREEK FARM LLC	97.65
652195532000	/53///4///26/	GATES, ALLAN W & ADELAIDE TRUSTEES	10.04
652205980000	/53///4/////17/	YAGER, MICHAEL A & KIMBERLY B	10
652298099000	/53///4///21/	SUMMERALL, CHARLES E & SUMMERALL, SALLY	11.98
652458408000	/53///3/////5/	MARVIL, DAVID L JR & LISA A	16.28
652496154000	/53///1/////3/	RATHNAM, JOHNSON P	11.02
653268553000	/53/////////30C	MCGRANAHAN, BRUCE E & CYNTHIA L	20.17
653279646000	/53/////////30D	LEDFORD, CHRISTOPHER & ADRIENNE	32.5
653476819000	/53///4/////9/	BEAVER CREEK FARM LLC	41.52
653493820000	/53///5/////1/	BEAVER CREEK FARM LLC	20.06
654107163000	/54/////////24/	GABLE, BRADLEY J & MELINDA D	66.88
655399257000	/70//5/////2/	ROYER, GARFIELD P	120.83

\*BLAD 2016-0044 approved on August 24, 2016, adjusted boundaries and acreage for PINs 652-19-5532 and 653-47-6819 (Instrument No. 201609300065723). The new PINs and legal acreages (AFD acreage remains the same) are 652-18-1215 (97.65 acres) and 653-47-1913 (41.52 acres). See Appendix A with plat dated 3-9-2016 with new boundaries.

On February 12, 2020, the following parcel containing at least five (5) but less than twenty (20) acres was NOT RENEWED in the New Ebenezer Agricultural and Forestal District Ordinance due to failure to properly reapply:

PIN	Tax Map Number	Owner	Acres
652300948000	/53///4/////19/	STEPHANUS, CARL WILLIAM ET AL TEES	9.71

III. EFFECT OF DISTRICT

A. All provisions of the Loudoun County Zoning and Subdivision Ordinances shall be applicable within the District, but only to the extent that such ordinances are not in conflict with the purposes of Title 15.2, Chapter 43 of the Code of Virginia (1950), as amended. All land use planning decisions, special exceptions and variances affecting any parcel of land within or adjacent to the District shall take into account the existence of the District and purposes and policies of this Ordinance. Any subdivisions or adjustments to parcels within the District shall meet the current zoning requirements or a minimum of 50 acres, whichever is greater. Subdivision through clustering is prohibited for the term of the District. All subdivision of land or adjustments to parcels within the District other than in accordance with the provisions of this Ordinance is hereby deemed to be in conflict with the purposes and policies established by this Ordinance.

B. Land used in agricultural and forestal production within the District shall automatically qualify for an agricultural or forestal value assessment on such land pursuant to Section 15.2-4312 of the Code of Virginia (1950), as amended, if the requirements for such assessment contained therein are satisfied, whether or not the Loudoun County Land Use Assessment Ordinance is in effect.

C. All other applicable provisions of Title 15.2, Chapter 43 of the Code of Virginia (1950), as amended, are incorporated in this Ordinance and made a part hereof.

IV. REVIEW OF ORDINANCE

The Board of Supervisors shall initiate review of the District at least ninety (90) days prior to June 2, 2024, in order to determine whether to terminate, modify or continue the District. The Board shall request the recommendations of the Planning Commission and the Agricultural District Advisory Committee in conducting such review.

V. DISCONTINUANCE OF ASSOCIATION IN DISTRICT

Any owner of land lying in the District may request, in writing, termination and withdrawal of his property in accordance with Section 15.2-4314 of the Code of Virginia (1950), as amended. If denied favorable action by the Board of Supervisors the landowner shall have an immediate right of appeal de novo to the circuit court. The termination of any owner's association in the District for any reason shall not in itself serve to terminate the existence of the District.

Any heir at law or devisee of any owner of land lying within the District shall as a matter of right, be entitled to withdraw from the District within two years of the date of death of the owner and upon written notice of withdrawal to the Board of Supervisors and the Commissioner of the Revenue.

When the District is reviewed by the Board of Supervisors at the end of the four (4) year term, land within the District may be withdrawn by filing a written notice before the Board of Supervisors acts to continue, modify or terminate the District.