

MIDDLEBURG EAST AGRICULTURAL AND FORESTAL DISTRICT ORDINANCE
July 18, 2019
As approved May 23, 2019

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 Middleburg East Agricultural and Forestal District (hereinafter referred to as the "District") is hereby renewed for a period of four (4) years, beginning July 18, 2019, 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 2,480.3 acres more or less and include the following 52 parcels:

PIN	Tax Map Number	Owner	Legal Acres
397356083000	/89////////24A	MORISON LLC & F W HARRIS LLC	115.21
398153983000	/98//13//3B2A/	NORAIR, JILL S	16.98
398189720000	/98//6/////C/	FREESTONE, JUNE G	12.59
398204965000	/98//1/////6/	MOORE, DONALD	10.06
398266226000	/98////////4A	TATE, JENNIEVE O TEE	10.03
398276771000	/89////////26/	TATE, JENNIEVE O TEE	54.97
399393182000	/98//6/////F/	WIRWAHN, F EUGENE	11.2
399399287000	/98////////36/	COHEN, DR. AVRAHAM	15.4
399485852000	/98//6/////D/	LITTNER, JULIUS & ELIZABETH HOEGG	14.9
432287047000	/88////////38C	HAPWORTH, PETER J & HALINA T RS	25
432297169000	/88//10/////3/	LARENTIS, BEATRICE H & MEHRAN ERFA	20.21
433100290000	/89////////24/	STOKE ALDIE LLC	165.08
433184413000	/88////////32/	STOKE ALDIE LLC	2.85
433254514000	/88////////11E	ROLLINS, ROBERT B II TEE	44.27
433257482000	/88////////11E-2	JOHNSON, BRADLEY & ANA JOHNSON	10.69
433274901000	/88////////31/	WARREN FAMILY PARTNERSHIP & TRUST	182.5
433373999000	/88////////35/	MCCORMICK, KATHERINE DOVER	40.25
433385471000	/88////////33/	WARREN, J F & VIRGINIA M	80

434154691000	/97///1/////1B	WARREN, RICHARD B TRUSTEE	252.27
434367240000	/97///1/////1A	HOLLINGER, SUSAN G	50
434454350000	/88/////////31A	WARREN FAMILY PARTNERSHIP & TRUST	20.14
434481171000	/88/////////30/	WARREN, RICHARD B TRUSTEE	1.3
435272879000	/97/////////4/	HOPPER, HARRY F III & MARIA V R/S	71.62
435381569000	/97/////////5A1/	ROBITAILLE, ANDREW N TEE	44.96
435466022000	/97/////////5/	MOUNTAIN FIELD LLC	34.69
468103336000	/88/////////11I	MARSH, TERRELL L & SARA A R/S	25.21
468104292000	/88/////////11P	PETERS, CLYDE R & MARYBELL F	21.25
468153980000	/88/////////25A	GREENHILL ESTATE LLC	128.56
468194549000	/88/////////11D	TRULL, FRANCINE L TRUSTEE	17.71
468202174000	/88/////////11M	LANDFIELD, JAMES S	9.97
468403620000	/88/////////38A	MAGALHAES, STEPHEN B & KRISTA S	14.88
469163373000	/97/////////6/	GEORGE, GREGORY & DEBORAH GEORGE T	234.88
469278368000	/88//26/////1/	GEORGE, GRANT E ET AL TEES	179.1
469295574000	/88//26/////2/	POTTS MILL LLC	137.74
470300863000	/97/////////3/	HOPPER, HARRY F III & MARIA V R/S	30
503174955000	/87/////////33K	THOMPSON, MARK L	13.06
503181888000	/87//12/////A/	HARRIS, ROD W & VALERIE M BEALL	10.54
503264795000	/87///4/////7/	THOMPSON, MARK L	4.42
503265855000	/87///4/////6/	THOMPSON, MARK L	3.37
503267107000	/87///4/////5/	THOMPSON, MARK L	3.02
503272570000	/87/////////33J	THOMPSON, MARK L	37.94
503279998000	/87/////////33H	THOMPSON, MARK L	10
503283788000	/87/////////33E	THOMPSON, MARK L	10
503386804000	/87/////////33C	THOMPSON FOUNDATION, THE	10.05
503398918000	/87/////////25B	STALOCH, MICHAEL A ET UX	12
503483867000	/87///5/////A/	JESSEN, JOHN G & GABRIELA AYAZI	21.09
504266860000	/87///2/////3/	COCHRAN, SHEILA VAN DOREN TRUSTEE	17.82
504278979000	/87///2/////4/	ROWLEY, POLLY PACK ET AL	33.81
504354538000	/87/////////31/	COCHRAN, SHEILA VAN DOREN TRUSTEE	97.41
504373758000	/87///2/////2/	JANES, ALICE MAXINE TRUSTEE	27.77
539495795001	/87/////////31A1/	COCHRAN, SHEILA, CUSTODIAN	43.46
539495795002	/87/////////31A2/	COCHRAN, SHEILA, CUSTODIAN	18.07

*PIN 433-10-0290 reflects AFD acreage; legal acreage is 165.94 acres as depicted on Boundary Survey dated March 7, 1990 and included with Clerk of Courts Instrument No. 2100304010037331.

*PIN 468-40-3620 change of ownership and new survey 11-16-2017, 14.88 acres.

Pursuant to the May 23, 2019, renewal of the District, effective July 18, 2019, the following parcel withdrew from the Middleburg East Agricultural and Forestal District Ordinance:

PIN	Tax Map Number	Owner	Legal Acres
669398415000	/70/////////35/	THOMPSON, ANN C	17.62

On May 23, 2019, the following parcel containing at least five (5) but less than twenty (20) acres was NOT RENEWED, effective July 18, 2019, in the Middleburg East Agricultural and Forestal District Ordinance due to failure to properly reapply:

PIN	Tax Map Number	Owner	Legal Acres
433352109000	/88////////11E-1	LYTTLE, PETER T	9.31

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, special use permits 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. It is further required that any subdivisions or adjustments to parcels in the District meet the current zoning requirements or a minimum of fifty (50) acres, whichever is greater.

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 July 18, 2023, 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.