

MIDDLEBURG WEST 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 West 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 4,485.09 acres more or less and include the following 84 parcels:

| PIN | Tax Map Number | Owner | Legal Acres |
|--------------|-----------------------|---|--------------------|
| 535268956000 | /87////////8B | RYAN, COLVIN G | 83.75 |
| 536483743000 | /87////////8C | MCCORMICK, WILLIAM H | 10.43 |
| 536485876000 | /87////////2/ | YATES, ANGUS | 10.77 |
| 536490509000 | /87////////1/ | MCCORMICK, WILLIAM & COLVIN RYAN | 24.29 |
| 537176539000 | /87////////17/ | MARY ISELIN TEE | 38 |
| 537264790000 | /87////////16A | MARY ISELIN TEE | 24.94 |
| 537451211000 | /87////////10A | MIDDLEBURG HUNT PROPERTY LLC | 1.89 |
| 537452277000 | /87////////10B | MIDDLEBURG HUNT PROPERTY LLC | 16.56 |
| 539481422001 | /87////22-1/ | HILL SCHOOL CORP OF MIDDLEBURG, THE | 40.53 |
| 539481422002 | /87////22-2/ | HILL SCHOOL CORP OF MIDDLEBURG, THE | 22.6 |
| 565193773000 | /72/18////1/ | CARTER, MARCIA M & G HORKAN JR TEES | 89.35 |
| 565300654000 | /73////////10/ | CARTER, MARCIA & G A HORKAN JR TEES | 121.58 |
| 566489847000 | /72////////52/ | PARKER, BETSEE | 89.54 |
| 567153490000 | /72////////48/ | PERDUE, CHRISTINE & TURNER SMITH | 9.31 |
| 567253641000 | /72////////47D | KELLY, BETSY LEITH & J ROGER KELLY TEES | 12.42 |

| PIN | Tax Map Number | Owner | Legal Acres |
|--------------|----------------|---|-------------|
| 567357040000 | /72////////46/ | GARDECKI, JOHN A | 10.68 |
| 568103252000 | /87////////9/ | WILLOW OAKS FARM LLC | 42.49 |
| 568154720000 | /86///3////F/ | BEACH, ROY M & DOROTHY S | 17.46 |
| 568162922000 | /86////////10/ | SNAKE HILL FARM LLC | 24.42 |
| 568267804000 | /86////////9/ | SNAKE HILL FARM LLC | 83.3 |
| 568282568000 | /86////////8/ | SNAKE HILL FARM LLC | 157.17 |
| 568403317000 | /86////////7/ | ATKINS, PAUL S & SARAH H | 126.73 |
| 568473058000 | /86////////6A | MIDDLETON, HARRY M JR | 194.87 |
| 568493462000 | /86////////6/ | BYRNE, SUSAN A & MARK KROGNESS R/S | 16.5 |
| 569166696000 | /86/A/1////21A | MARY ISELIN TEE | 10 |
| 569383435000 | /87////////16/ | MARY ISELIN TEE | 422.78 |
| 569453968000 | /86///3////E/ | MAHAR, DARIAN K | 10 |
| 596104786000 | /72////////47E | FLETCHER, SALLY DIGGS | 1.84 |
| 596106596000 | /72////////47F | COOLIDGE, RICHARD L & ALIXANDRA | 1.85 |
| 596194912000 | /86////////5E | FLETCHER, SALLY DIGGS | 2.06 |
| 596206551000 | /72////////46A | KELLY, BETSY LEITH & J ROGER KELLY TEES | 13.4 |
| 596295514000 | /72////////45/ | FLETCHER, SALLY DIGGS | 51.91 |
| 596482766000 | /72////////39/ | TARRING, TODD C | 3.96 |
| 596489804000 | /72////////44A | CLANCY, SEAN W & ANNE K | 28.65 |
| 597208015000 | /86///3////C/ | WOODWORTH, CHARLES M JR ETAL T/C | 7.48 |
| 597260884000 | /86////////4B | FIRESTONE, MYRNA & RUSSELL FIRESTONE III | 10.7 |
| 597265946000 | /86////////4C | FIRESTONE, MYRNA & RUSSELL FIRESTONE III | 7.13 |
| 597353238000 | /86///1////1/ | MULLERY, MARGARET M | 4.99 |
| 597397235000 | /86////////5/ | J & L FAMILY LLLP | 279.42 |
| 597465120000 | /86////////4A | MTC1 LLC | 149.14 |
| 598172762000 | /86////////18A | HALL, BARRINGTON L | 13.46 |
| 598184943000 | /86////////18G | WALKER, HELEN H TEE | 56.19 |
| 598294674000 | /86////////13C | CROFT, ALAN B & ILONA A R/S | 37.65 |
| 598398755000 | /86////////13A | RICE, THOMAS DEAN & CAROL ANN | 33.44 |
| 598404557000 | /86////////11/ | DUGDALE | 18.03 |
| 598482144000 | /86////////13/ | HOWELL, DEBORAH S TEE | 17 |
| 599366185000 | /86////////17A | BOXWELL, WESLEY W & KATHLEEN R | 10 |
| 599484541000 | /86////////18C | WALKER, HELEN H TEE | 28.35 |
| 599499084000 | /86///4////4/ | BENITZ, CHRYSSE G | 20.92 |
| 620154450000 | /71////////47A | ROSS, LLOYD L | 68.11 |
| 620356683000 | /71////////31/ | ROSS, LLOYD L | 137.32 |
| 621150745000 | /85////////5A | TAYLOE, WILLIAM M & JULIA R/S | 1.23 |
| 621259589000 | /71///9////2/ | TAKARO FARMS LLC | 73.9 |
| 621361882000 | /71///9////3/ | TAKARO FARMS LLC | 18.09 |

| PIN | Tax Map Number | Owner | Legal Acres |
|--------------|----------------|--|-------------|
| 622202265000 | /85///////9A | QUAIL RIDGE FARMS LLC | 97.38 |
| 622272013000 | /85//2////WL/ | PHIPPS, HUBERT G TEE | 70.36 |
| 623100279000 | /85///////11C | LEEPSON, MARC N & JANNA L M LEEPSON | 1.93 |
| 623157993000 | /85//1////3/ | DEL DUCA, CHARLOTTE CARTER | 10 |
| 623171377000 | /85//1////15/ | HUFF, ROBERT L TRUSTEE | 10.12 |
| 623171432000 | /85//1////14/ | HUFF, ROBERT L TRUSTEE | 12.74 |
| 623183358000 | /85//1////17/ | AUGMENTATION INC & HOWARD WHITBRED | 18.05 |
| 623195936000 | /85///////11B | LEEPSON, MARC N & JANNA L M LEEPSON | 31.78 |
| 623268947000 | /85//1////12/ | BALDWIN, NEVAN G & BALDWIN, WENDY L | 10 |
| 623285836000 | /85//1////19/ | MCCANN, PATRICIA L | 10.08 |
| 623302826000 | /86///////16/ | WHITE, ALIX L | 132.68 |
| 623362996000 | /85//1////A/ | ATOKA CHASE ASSOCIATION INC | 50 |
| 623363932000 | /85//1////6/ | ELIOT, ROBERT S & JOAN C RS | 10 |
| 623368063000 | /85//1////7/ | FENTON, ANDREW A | 10.92 |
| 623374460000 | /85//1////8/ | CERRONE, CHRISTOPHER D | 10 |
| 623378734000 | /85//1////10/ | BOTWICK, CHARLES H & MONA M R/S | 10 |
| 624495052000 | /85///////11A | LEEPSON, MARC N & JANNA L M LEEPSON | 31.68 |
| 641193036000 | /71////49WL/ | KANSTEINER, WALTER H III & FRANCES ROSS W | 50.83 |
| 642100851000 | /85///////5/ | WELBOURNE LP | 100.2 |
| 642166867000 | /85///////1/ | UPPERVILLE LLC | 167.59 |
| 642184963000 | /85//4////1/ | MCWANE, ANNA M | 44.48 |
| 642281444000 | /71//1////1/ | FERSTER, WILLIAM A & SUSAN G | 3.43 |
| 642282667000 | /71//1////3/ | FERSTER, WILLIAM A & SUSAN G | 5.15 |
| 642290438000 | /71//1////2/ | FERSTER, WILLIAM A & SUSAN G | 8.2 |
| 642385391000 | /71///////49/ | ROSS, LLOYD L ROSS D | 131.14 |
| 642486824000 | /71//10////WL/ | GUMTREE PROPERTIES LLC | 50.56 |
| 643298519000 | /85///////6/ | WELBOURNE LP | 419.66 |
| 643383380000 | /85//4////2/ | MCWANE, ANNA M | 67.24 |
| 643453756000 | /85//4////4/ | FITCH, A WRAY III & ELIZABETH B TEES | 36.62 |
| 644304029000 | /85///////4C | LINCOLN, MICHAEL R & WENDY L R/S | 63.69 |

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

| PIN | Tax Map Number | Owner | Legal Acres |
|--------------|----------------|--------------------------|-------------|
| 568356379000 | /86//6////WL/ | PISKORZ, BERNARD & MARIE | 12.02 |

| | | | |
|--------------|-----------------|----------------------------|-------|
| 598307129000 | /86/////////21/ | SOLSTICE LLC | 12.03 |
| 623262077000 | /85///1////5/ | WASHBURN, JUDITH D TRUSTEE | 10 |
| 644281651000 | /85/////////14/ | NORTHERN VA REGIONAL PARK | 8.28 |

*PIN 644-28-1651-000 changed ownership and a Plat of Correction was issued on July 20, 2017, with new acreage of 8.28 acres.

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

| PIN | Tax Map Number | Owner | Legal Acres |
|--------------|-----------------|------------------------------------|-------------|
| 623251813000 | /85/////////4E | ZUGSCHWERT, JOHN F TEE | 19.46 |
| 644201416000 | /85/////////4G | ZUGSCHWERT, JOHN F TEE | 17.32 |
| 644292759000 | /85/////////4A | ZUGSCHWERT, JOHN F TEE | 13.6 |
| 569406159000 | /87/////////10/ | WILLOW OAKS FARM LLC | 17.97 |
| 596100924000 | /86/////////5D | ABENDSCHEIN, MARIA TEE | 7.21 |
| 596106754000 | /86/////////5C | ABENDSCHEIN, MARIA TEE | 10.22 |
| 597104058000 | /86///3////A/ | GILBERG, DONALD M & DONNA A TEES | 7.88 |
| 597356829000 | /86///1////2/ | MCWADE, RICHARD H & ELLEN M MCWADE | 10 |
| 599467335000 | /86/////////18B | OMALLEY, CAROL TRUSTEE | 8 |
| 621153497000 | /71///9////1/ | SLOSMAN, DAVID A & GWEN ALRED TEES | 14.43 |
| 621290184000 | /71///4////A/ | ORFILA, ALEJANDRO JAMES | 13.65 |
| 621452824000 | /71/////////471 | HANEY, JOHN D JR & ANNABELLE S | 13.73 |
| 623258238000 | /85///1////4/ | MAILLIS, MARY & GEORGIOS | 10 |
| 623272874000 | /85///1////11/ | BURTON, JOHN F & DEBORAH L TEES | 10 |
| 623279507000 | /85///1////18/ | BECKER, MARION | 11.65 |
| 623382097000 | /85///1////9/ | CATLETT, MICHAEL S & LISA T | 10 |
| 624485075000 | /85///1////16/ | HUMPHREY, HUBERT E & KAY F | 15.33 |
| 643372579000 | /85///4////3/ | MCWANE, ANNA M | 18.16 |

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.