

MIDDLEBURG WEST AGRICULTURAL AND FORESTAL DISTRICT ORDINANCE
July 18, 2023
As approved April 12, 2023

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, 2023, 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 4,340.51 acres more or less and include the following 79 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	24.29
537176539000	/87/////////17/	WOLVER HILL LLC	38.00
537264790000	/87/////////16A	WOLVER HILL LLC	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	40.53
539481422002	/87/////////22-2/	HILL SCHOOL CORP OF	22.60
565193773000	/72//18////1/	CARTER, MARCIA M & G HORKAN JR	89.35
565300654000	/73/////////10/	CARTER, MARCIA & G A HORKAN JR	121.58
566489847000	/72/////////52/	PARKER, BETSEE	89.54
567153490000	/72/////////48/	PERDUE, CHRISTINE & TURNER	9.31
567253641000	/72/////////47D	KELLY, BETSY LEITH & J ROGER	12.42
567357040000	/72/////////46/	GARDECKI, JOHN A	10.68
568103252000	/87/////////9/	KASPROWICZ, EDWARD SCOTT	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	83.30
568282568000	/86/////////8/	SNAKE HILL FARM LLC	157.17

PIN	Tax Map Number	Owner	Legal Acres
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	16.50
569383435000	/87/////////16/	WOLVER HILL LLC	422.78
569453968000	/86///3////E/	MAHAR, DARIAN K	10.00
596104786000	/72/////////47E	FLETCHER, SALLY DIGGS	1.84
596106596000	/72/////////47F	POLLARD, ALFRED & POLLARD, SUS	1.85
596194912000	/86/////////5E	FLETCHER, SALLY DIGGS	2.06
596206551000	/72/////////46A	KELLY, BETSY LEITH & J ROGER	13.40
596295514000	/72/////////45/	FLETCHER, SALLY DIGGS	51.91
596482766000	/72/////////39/	MT JACKSON FARM LLC	3.96
596489804000	/72/////////44A	CLANCY, SEAN W & ANNE K	28.65
597208015000	/86///3////C/	WOODWORTH, CHARLES M JR ETAL	7.48
597260884000	/86/////////4B	FIRESTONE, MYRNA & RUSSELL	10.70
597265946000	/86/////////4C	FIRESTONE, MYRNA & RUSSELL	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, EVAN D TR & EVAN D WAL	56.19
598294674000	/86/////////13C	ANNADEA LLC	37.65
598398755000	/86/////////13A	RICE, THOMAS DEAN & CAROL ANN	33.44
598404557000	/86/////////11/	DUGDALE, GEORGE & DUGDALE, NAN	18.03
598482144000	/86/////////13/	HOWELL, DEBORAH S TEE	17.00
599366185000	/86/////////17A	BOXWELL, KATHLEEN R	10.00
599484541000	/86/////////18C	WALKER, EVAN D TR & EVAN D WAL	28.35
599499084000	/86///4////4/	BENITZ, CHRYSSI 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	73.90
621361882000	/71///9////3/	TAKARO FARMS LLC	18.09
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	1.93
623157993000	/85///1////3/	DEL DUCA, CHARLOTTE CARTER	10.00
623183358000	/85///1////17/	AUGMENTATION INC & HOWARD	18.05
623195936000	/85/////////11B	LEEPSON, MARC N & JANNA L M	31.78
623258238000	/85///1////4/	MAILLIS, MARY & GEORGIOS	10.00
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	50.00
623363932000	/85///1////6/	ELIOT, ROBERT S & JOAN C RS	10.00

PIN	Tax Map Number	Owner	Legal Acres
623368063000	/85///1////7/	FENTON, ANDREW A	10.92
623374460000	/85///1////8/	CERRONE, CHRISTOPHER D	10.00
623378734000	/85///1////10/	MONA M BOTWICK	10.00
624495052000	/85////////11A	LEEPSON, MARC N & JANNA L M	31.68
641193036000	/71////49WL/	KANSTEINER, WALTER H III &	50.83
642100851000	/85////////5/	WELBOURNE LP	100.20
642166867000	/85////////1/	ASTATINE LLC	167.59
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	8.20
642385391000	/71////////49/	ROSS, LLOYD L	131.14
642486824000	/71/10//WL/	GUMTREE PROPERTIES LLC	50.56
643298519000	/85////////6/	WELBOURNE LP	419.66
643453756000	/85///4////4/	FITCH, A WRAY III & ELIZABETH B	36.62
644304029000	/85////////4C	LINCOLN, MICHAEL R & WENDY L R/S	63.69

¹ See Appendix A for plat. On November 11, 2009, a 3.96-acre portion of land that was formerly part of PIN 596-489-804-000 in the Middleburg West Agricultural and Forestal District was transferred to the following parcel: PIN 596-48-2766-000.

Pursuant to the April 12, 2023, renewal of the District, effective July 18, 2023, the following parcels withdrew from the Middleburg West Agricultural and Forestal District Ordinance:

PIN	Tax Map Number	Owner	Legal Acres
642184963000	/85///4////1/	MCWANE, ANNA M	44.48
643383380000	/85///4////2/	MCWANE, ANNA M	67.24

On April 12, 2023, the following parcels containing at least five (5) but less than twenty (20) acres were NOT RENEWED, effective July 18, 2023, in the Middleburg West Agricultural and Forestal District Ordinance due to failure to properly reapply:

PIN	Tax Map Number	Owner	Legal Acres
569166696000	/86/A/1///21A	WOLVER HILL LLC	10.00
623171377000	/85///1////15/	HUFF, CATHERINE ANN TR & ROBERT L	10.12
623171432000	/85///1////14/	HUFF, CATHERINE ANN TR & ROBERT L	12.74
623268947000	/85///1////12/	HARRIS, JAMES G & HARRIS, MART	10.00

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, 2027, 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.