



Loudoun County, Virginia

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NEWS RELEASE

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Court Enters Abatement Order for Gable Farm; Orders Owner to Level Fill Dirt

The Loudoun County General District Court has entered an Order of Abatement in the case of *County of Loudoun v. Gable Family Limited Partnership*, which requires the owner of the Gable Farm property to correct violations of the Loudoun County Zoning Ordinance.

Order of Abatement

The Gable Farm property is located west of Leesburg, off Colonial Highway, near the Town of Hamilton. The property owner was found in violation of the county's zoning ordinance following the hauling of fill dirt onto the property over the past few years, which created elevations greater than approved in a site plan for the proposed use on the property.

The court's order requires the property owner to accomplish the following remedial actions:

- Adjust the elevations and grading of the property by moving the excess fill to lower the elevations on the property to be consistent with what was shown on the approved Rural Economy Site Plan for the property. The excess fill is to be moved to specified locations on the southcentral and southwest perimeter of the property to close out erosion and sediment controls that were constructed in conjunction with the site plan.
- Disburse any remaining fill within specified areas of the property provided elevations do not exceed the levels indicated in the Abatement Plan following approval of a Grading Permit.
- Upon completion of the work described above, the property owner must hire a third-party surveyor or engineer to confirm elevation and grades of fill dirt.

According to the order, the abatement actions associated with the moving of fill material must be complete by November 15, 2022. In addition, the property owner was required to pay a \$200 fine, which has already been paid to the county.

- [View the Order of Abatement](#)
- [View the Abatement Plan](#)

Background

Over the past few years, Loudoun County responded to complaints from residents in the area of Gable Farm and investigated the hauling of fill material onto the property. In 2015, Loudoun County approved a plan for the property to be used as a personal recreation field and issued a grading permit to the Gable Farm owner for that purpose; however, in 2017, the county issued a Notice of Violation for failing to follow the approved plan. In 2018, Loudoun County observed

elevations on the property that exceeded approved levels and issued a stop work order to the Gable Farm owner. A second Notice of Violation was issued in November 2018. In 2019, the county worked with the property owner to bring the site into compliance with the approved site plan, but no acceptable agreement for addressing the excess fill dirt on the property was reached at that time. The county and the property owner ultimately resolved the issue through the Order of Abatement entered by the court on November 3, 2021.

In addition, fill material on the property was analyzed. The Virginia Department of Environmental Quality inspected the site and in February of 2019 issued a [letter](#) indicating that the fill material contained primarily soil, bricks, asphalt, concrete and rocks, and that the material was allowed under Virginia Solid Waste Management Regulations. In 2020, the owner hired a consultant to study the soil. The findings were provided on July 22, 2020, in the [Environmental Soil Characterization Report](#). In response to the report, DEQ issued another [letter](#) on February 5, 2021, reaffirming that the fill material on the Gable Farm property was compliant with state regulations and requirements.

More Information

More information about the stockpiling of dirt and the history of county's engagement with the Gable Farm owner is posted on the county's website at loudoun.gov/stockpilingdirt.

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