

**PROFFERED CONDITIONS FOR
OX HILL BAPTIST CHURCH**

RZ 2004-SU-014 & SE 2004-SU-012

September 21, 2004

Pursuant to Section 15.2-2303(a) of the Code of Virginia, 1950, as amended, the undersigned applicant and the owner, the Trustees of the Ox Hill Baptist Church, for themselves, their successors and assigns ("Applicant") hereby proffer that development of the parcels under consideration and shown on the Fairfax County Tax Maps as Tax Map reference 34-4 ((6)) 46 and 34-4 ((1)) 54A ("Property") will be in accordance with the following conditions if, and only if, said Rezoning request for the R-12 District is granted. In the event said application is denied, these proffers shall be null and void.

1. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance, development of the subject property shall be in substantial conformance with the plan prepared by Rinker-Design Associates, P.C. consisting of 3 sheets dated March 4, 2004 and revised through August 25, 2004, entitled "Generalized Development Plan/Special Exception Plat for the Ox Hill Baptist Church" ("GDP/SE Plat"). The primary use of the site shall be a church, other uses shall be permitted as per approval of SE 2004-SU-012, to include a childcare center/nursery school and public uses.
2. The floor area ratio (FAR) for the site shall not exceed 0.5.
3. The Applicant shall construct and install stormwater management facilities and Best Management Practices (SWM/BMPs) generally as shown on the GDP/SE Plat, and as approved by DPWES in accordance with the Public Facilities Manual. These facilities will be constructed in accordance with the phasing plan and engineering need for detention/retention as determined by DPWES in accordance with the requirements of the Public Facilities Manual and other applicable code requirements. The Applicant will provide sand filter systems or other devices as shown on the GDP/SE plat. Adequate BMPs will be provided to cover each phase of development.
4. If deemed necessary to meet the requirements of the Watershed Protection Overlay District, the Applicant shall provide a Conservation Area in the southeastern portion of the property as shown on the GDP/SE Plat. No clearing or grading shall be permitted in this Conservation Area. Additional plantings shall be provided as required by DPWES.
5. Construction of the parking spaces shall be provided as shown on the GDP/SE Plat.
6. A Landscape Plan incorporating the landscaping shown on GDP/SE Plat shall be submitted with the initial and all other submissions of a site plan for review and approval

by the Urban Forest Management Branch. In order to provide a natural appearance to the proposed stormwater management facility in the southeast corner of the property, the Landscape Plan shall include landscaping in all permitted planting areas of the stormwater management pond, in keeping with the planting policy of the County, as approved by DPWES.

7. The Applicant shall conform to the limits of clearing and grading shall be as shown on the GDP/SE plat subject to the installation of utilities and/or other public improvements as determined necessary by the Director of DPWES. If it is determined necessary to install utilities and/or other public improvements outside the limits of clearing and grading as shown on the GDP/SE Plat, they shall be located in the least disruptive manner necessary as determined by the Urban Forest Management Branch. If deemed necessary by the Urban Forest Management Branch, a replanting plan shall be developed and implemented, for any areas outside the limits of clearing and grading that must be disturbed.

8. All existing vegetation shown to be preserved on the on the GDP/SE Plat shall be protected by tree protection fence during all phases of construction. Tree protection fencing four feet high, with 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground or six-foot high chain link fencing on concrete blocks and placed no further than 10 feet apart, shall be erected at the limits of clearing and grading. . All tree protection fencing shall be installed prior to any clearing and grading activities. Three days prior to the commencement of any clearing and grading activity, the Urban Forestry Division shall be notified and given the opportunity to inspect the site to assure that all temporary tree protection devices have been correctly installed.

9. At the time of site plan approval, or upon demand, whichever occurs first, the Applicant shall dedicate at no cost to the County in fee simple to the Board of Supervisors of Fairfax County, the right-of-way along the site frontage to Elmwood Street measuring approximately 17,515 square feet, as shown on the GDP/SE Plat.

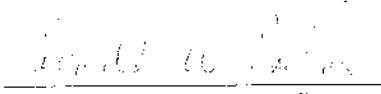
10. The Applicant shall improve the property frontage along Elmwood Street to provide curb and gutter and sidewalk improvements, as generally shown on the GDP/SE Plat.

11. All improvements to the existing church shall consist of predominately masonry exterior construction materials.

12. Pursuant to Section 18-204 of the Zoning Ordinance, minor modifications from the GDP/SE Plat may be permitted as determined by the Zoning Administrator. The Applicant shall have the flexibility to modify the layout shown on the GDP/SE Plat without requiring approval of a Proffer Condition Amendment application, provided, such changes are in substantial conformance with the GDP/SE Plat as determined by the Zoning Administrator.

TRUSTEES FOR OX HILL BAPTIST CHURCH


MARTHA BRADLEY, TRUSTEE

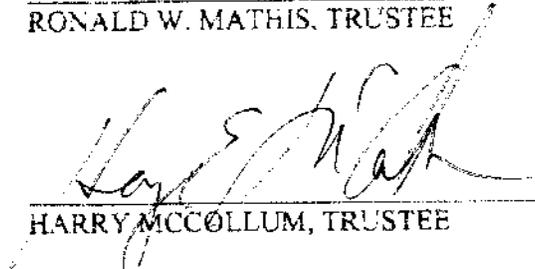

RONALD W. MATHIS, TRUSTEE

HARRY MCCOLLUM, TRUSTEE

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