

PROFFERS

GEORGE PROPERTY

RZ 1997-HM-018

April 2, 1998
(Revised May 7, 1998)

Pursuant to Section 1.2-2303(a), Code of Virginia, 1950 as amended, Hanna and Naimeh George, the applicants and property owners in RZ 1997 HM-018, filed for the property identified as Tax Map 28-4 ((1)) 24 (hereinafter referred to as "Subject Property"), proffers the following, provided that the Board of Supervisors approve a rezoning of the Subject Property to the R-2 District.

1. Development Plan: Development of the Subject Property shall be in substantial conformance with the Generalized Development Plan ("GDP") prepared by Harold A. Logan Associates, P.C. dated January 20, 1997 and revised through October 16, 1997.
2. Minor Deviation: Pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, minor modifications from the GDP may be permitted as determined by the Zoning Administrator. The Applicant shall have the flexibility to modify the layout shown on the GDP without requiring approval of an amended GDP provided such changes are in substantial conformance with the GDP as determined by the Zoning Administrator, agents or assigns and neither increase the total number of lots nor decrease the following: amount of open space; amount of parking; amount of tree preservation or the location of limits of clearing.
3. Stormwater Management: The Applicant intends to apply for a waiver of on-site stormwater management ("SWM") with the Department of Environmental Management ("DEM"). If such waiver is approved, the lots shown on the GDP shall be reconfigured such that the minimum lot area shall be no less than 21,000 square feet (assuming VDOT, Fairfax County Transportation and/or DEM do not impose requirements over and above that shown on the GDP in which case the minimum lot area will be adjusted to reflect such additional requirement(s)). Such reconfiguration (and other resulting adjustments, if any) shall not result in a change to the number of permitted lots (9) and shall be considered a minor deviation in substantial conformance with the GDP as described in paragraph 2 above.
4. Limits of Clearing: The Applicant shall generally conform to the limits of clearing as shown on the GDP subject to the removal and regrading, planting, etc. of the property currently occupied by the existing 30' road easement and subject to the installation of utility lines and trails, if any. The above referenced disruptions shall occur in the least disruptive manner possible considering cost and engineering as determined by the Urban Forester. A replanting plan shall be developed and implemented, as

approved by the Urban Forester, for any areas within the areas protected by the limits of clearing that must be disturbed.

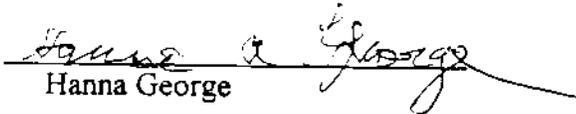
5. Vacation of 30' Road Easement: The Applicant shall make all efforts to vacate the existing 30' easement prior to subdivision plan approval. If such vacation can not be reasonably accomplished, the lots impacted will be subject to such easement and purchasers shall be notified of the existence of the easement prior to the conveyance of the property. If the 30' road easement is vacated, the Applicant shall remove the existing pavement within such easement.
6. Outlot "C": The area designated as Outlot "C" shall be conveyed to the Homeowner Association referenced in paragraph 7 below, subject to the restriction that at such time as the Fairfax County Board of Supervisors approves an extension of a public street along Teets Lane, Outlot "C" shall be dedicated to the Board of Supervisors. This restriction shall be expressly included in the documents conveying Outlot "C" to the Homeowner Association.
7. Homeowner Association: The Applicant shall establish a homeowners association for the proposed development to own, manage and maintain the outlots and the SWM Pond, if required.
8. Lot 42: A variance allowing the proposed alignment of Teets Road through Lot 42 as shown on the GDP shall be approved by the Fairfax County Board of Zoning Appeals prior to subdivision plan approval.
9. Tree Preservation Plan: For the purposes of maximizing the preservation of trees on individual lots, the Applicant shall prepare a tree preservation plan. The tree preservation plan shall be reviewed by the Urban Forestry Branch of DEM prior to submission of the subdivision plan. The tree preservation plan shall include a tree survey, prepared by an arborist certified by the International Society of Arboriculture, which shows the location, size, species and actual dripline of all existing trees of 8" dbh or greater and all landscape trees and shrubs in good condition. As part of the tree preservation plan preparation, the certified arborist shall conduct a condition analysis, using the method described in the "Guide for Plant Appraisal" eighth edition, published by the International Society of Arboriculture. This information shall be provided on the tree preservation plan. After completion of the tree survey and condition analysis, the certified arborist shall consult with the Applicants design engineer to determine the appropriate placement of the homes on the lot to maximize tree preservation. The actual limits of clearing and grading can then be determined. The tree preservation plan shall be submitted with, and become a part of, the subdivision plan and the overlot grading plan for each lot. The placement of all utilities shall be considered prior to the submission of the tree preservation plan. Notwithstanding the foregoing, in no instance shall the tree preservation plan result in a reduced number of buildable lots as shown on the GDP, result in a significant increase in the cost of designing and installing utilities, nor shall such tree

preservation plan reduce the footprint of the planned homes, as determined by the Applicant.

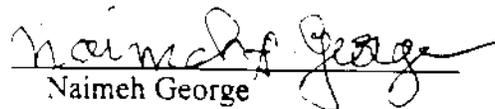
10. Energy Conservation. Homes on the Subject Property shall meet thermal guidelines of the Virginia Power Energy Saver Program for energy efficient homes or its equivalent, as determined by DEM, for either electrical or gas energy systems.
11. Fairfax County Park Authority Contribution: The Applicant shall contribute \$7,596.00 to the Fairfax County Park Authority at the time of subdivision plan approval, which amount shall be used to provide park improvements at the Ashgrove Historic site.
12. Successors and Assigns: These proffers will bind and inure to the benefit of the applicant and all successors and assigns.

TITLE OWNER OF
TAX MAP 28-4 ((1)) 24

HANNA GEORGE

By: 
Hanna George

NAIMEH GEORGE

By: 
Naimeh George