

PROFFERS
RZ 86-L-077
April 10, 1987

Pursuant to Section 15.1 491(a), of the Code of Virginia, (1950 as amended) the applicant in RZ 86-L-077 hereby proffers to develop the subject property in accordance with the following conditions, subject to the granting of the R-12 District.

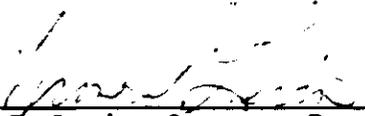
1. Development shall substantially conform to the Generalized Development Plan, dated April 6, 1987, prepared by Paciulli, Simmons & Associates.
2. All open space areas of this development will be conveyed to a homeowners association.
3. Stormwater management will be provided in accordance with the requirements of the Public Facilities Manual.
- 4a. Garages will be used only for purposes which will not interfere with the intended purposes of the garages, which are the parking of vehicles and the location of certain utilities. A restrictive covenant to this effect running to the homeowners association shall be recorded among the land records of Fairfax County in conjunction with or prior to the recordation of the Deed of Dedication and Subdivision. In addition, each deed of conveyance to initial purchasers of lots shall expressly contain the following provision:

"Subject to a restrictive covenant that the garage will be used only for purposes which will not interfere with the parking of vehicles and the location of certain utilities and that said garages may not be converted to any other use".

- 4b. Prospective initial purchasers will be advised of this use restriction prior to entering into contracts of sale.
- 4c. All private driveways will be 20' in length or such smaller dimension as may be approved by the County's Office of Transportation.
5. Passive and active recreational facilities will be provided in substantial accordance with the Generalized Development Plan. The proposed jogging/fitness trail will be constructed in conformance with a Type I trail as specified in the PFM and will be 4' in width.
6. In areas where soils testing indicates marginal to poor soils for basements, design details and construction procedures will be used in order to preclude wet basements.
7. The exterior of the dwelling units shall be a traditional style and shall not be a Victorian or contemporary style which is not consistent with other dwellings in the surrounding neighborhoods.

8. The developer will dedicate and convey in fee simple for public street purposes to the Board of Supervisors a right of way to 30' from the centerline of Old Franconia Road and will construct with curb, gutter and sidewalk a 22' half-section of roadway along the frontage of the said road. These street improvements will conform to the existing alignment with the adjacent property and match the road improvements constructed on the north side of Old Franconia Road.
9. Landscaping and buffering with a 6' high stockade fence adjacent to a portion of the Georgetown Woods townhouses and landscaping along a portion of the Franconia Commons townhouse development will be provided in substantial accordance with the Generalized Development Plan. A 42" solid wood fence will be constructed as a barrier along the southwest property line, as shown on the Generalized Development Plan. Maintenance of the landscaping and fences will be provided by the homeowners association.
10. All trees shown on the GDP to be saved, shall be protected and preserved in accordance with a tree preservation plan to be submitted to the County Arborist for approval in conjunction with the rough grading plan, or with the site plan, whichever comes first. If it is determined by the County Arborist that any of the trees shown to be saved cannot be protected and preserved due to final engineering, the County Arborist shall determine the specie, number, and size of trees that shall be used for replacement. Such substitution shall not be unreasonable. The developer shall also work with a representative of the adjacent homeowners associations of Georgetown Woods and Franconia Commons to get their input for the final landscape plan as it relates to the perimeter landscaping abutting these developments.
11. The development section west of Potters Lane (designated as Parcel B in the legal description) and listed as Lot 42 on the tax map, will not be constructed until such time when the property located north of this area can be assembled and included in this development. Maintenance of Parcel B (Lot 42), until such time as same is fully constructed, will be the responsibility of the developer.
12. All construction will conform to the standards of N.V.B.A. E-7 Award Certificate Program.
13. The developer will dedicate and convey in fee simple to the Board of Supervisors for public street purposes Potters Lane with a right of way not to exceed 52' and construction of paving not to exceed 38' in width or such smaller dedication and paving as may be approved by Virginia Department of Transportation and the County's Department of Environmental Management. The construction of the subdivision will not commence until VDOT has evidenced its satisfaction that adequate dedication along Potters Lane is available to permit the construction thereof.
14. All private streets will be constructed in conformance with the Public Facilities Manual with the exception of Paragraph 14a, Section 7-0406.

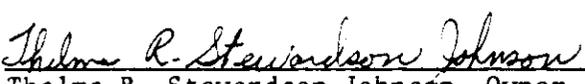
15. The developer will contribute the sum of \$250.00 to the Board of Supervisors prior to the issuance of a residential use permit for each unit. Such contribution will be used by the Board of Supervisors for future traffic improvements at intersections in the vicinity of this townhouse development.
16. All signs not in conformance with the regulations of Fairfax County will be prohibited.
17. Landscaping will be provided in substantial conformance with the landscaping shown on the GDP. If said landscaping encroaches existing or future easements and/or utilities, the developer will relocate these plantings at an appropriate location to be determined by the County Arborist.
18. Site plan will be returned to the Planning Commission for review and approval prior to approval by the Director of the Department of Environmental Management.



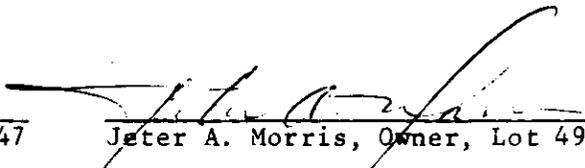
Myron S. Levin, Contract Purchaser/Owner
President, Levin Construction Corporation



Mabel B. Shifflett, Owner, Lot 48



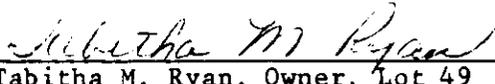
Thelma R. Stewardson Johnson, Owner, Lot 47



Jeter A. Morris, Owner, Lot 49



James Shifflett, Owner, Lot 48



Tabitha M. Ryan, Owner, Lot 49