

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
19 May 2015
(Also the agenda for the Mayoral Committee Meeting : 28 May 2015)**

11. **ERF 532, 45 SCHNEIDER STREET, FRANSKRAAL, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : MESSRS JLR & ASSOCIATES ON BEHALF OF "DIE TRUSTEES INDERTYD VAN DIE FLOORS STRAUSS FAMILIE TRUST"**

532 GFK (2553)

**S van der Merwe
17 March 2015**

(028) 313 8900

Hermanus Administration

RESOLVED :

1. that in terms of the Removal of Restrictions Act, 1967 (Act 84 of 1967) the application for a departure from the Title Deed to relax the 1,75m lateral building line as stipulated in the Title Deed, Section 14(d) in order to enlarge the existing garage and to add a laundry to the garage, **be recommended for approval**;
2. that in terms of Section 15 of the Land Use Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the Scheme Regulations to relax the lateral building line to 0,2m from the lateral boundary in order to enlarge the existing garage and to add a laundry to the garage, **be approved**, subject to the following conditions:
 - (a) that the approval in 2. above be subject to the successful relaxation of the restrictive title deed condition in 1. above;
 - (b) that this approval is only for the relaxation of building line indicated on the plan no. BFK311-001, as submitted with this application;
 - (c) that building plans be submitted to the Building Department for approval;
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with, and
 - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation.
3. that the applicant be notified of his right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.



LIGGINGPLAN / LOCALITY PLAN
Erf 532 Franskrans



Departure(Buildingline)

ERF 532, FRANSKRAAL

OVERSTRAND MUNICIPALITY

(Gansbaai Administration)

BACKGROUND AND INTRODUCTION

The DIE TRUSTEES VAN FLOORS STRAUSS FAMILIETRUST, is the registered owner of Erf 532, Franskraal. The subject property is located at the Eastern side of Gansbaai on the corner of Rosseau- and Schneiderstreets.

Die trustees van floors strauss familietrust bought the subject property about 8 years ago. The subject property was altered with internal and external alterations and a open balcony which was approved by the local municipality As for mr and mrs Strauss is not staying permanently in the dwelling due to farming in the Paarl area, they use the property as a holiday house for the family. As for the children that had grown up and will be taken over the farming activities the holiday house is not adequate enough for the family and therefore the

Erf 532 - Franskraal

alterations to the subject property. The subject property consist of a main dwelling and garages which is situated on the northern boundary.(See layout plan.)

It is the trust intention to add and alter the dwelling to accommodate the vehicles with a laundry and to provide a T.V. Room with a main bedroom (see building plans)

The company JLR & ASSOCIATES has therefore been empowered to apply for the necessary rights in the above regard.

APPLICATION DETAILS

The application entails the following legislative applications:

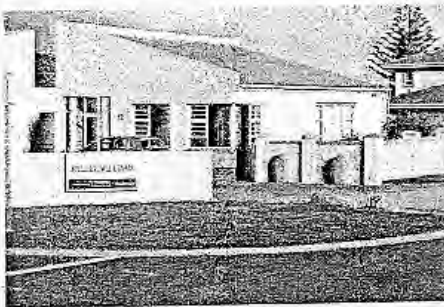
- Application for departure (building line encroachment) in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985).

MOTIVATION**LOCALITY AND PROPERTY DESCRIPTION AND CURRENT DEVELOPMENT**

**Rosseaustreet borders Erf 532 on the Western side
Schneider street on the Southern side,**



**dwelling on erf 531 on the Eastern side and dwelling on erf
519 on the Northern side;**



Erf 532 - Franskraal

This location ensures direct access to all major routes within the immediate area and the CBD of Franskraal.

The total extent of the property is 683m² and held by Title Deed No. T49988/2005.

The zoning status of Erf 532 is Single Residential Zone.

The property is currently developed with a 3 bedroom dwelling.

DETAILED ANALYSES OF THE APPLICATION

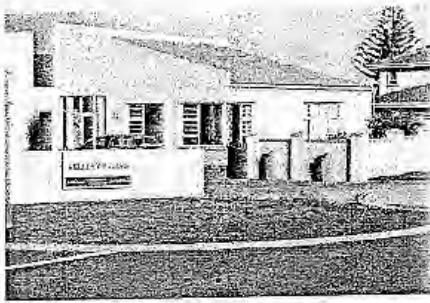
The Gansbaai Zoning Scheme regulations provides for a departure of building lines on single residential properties.

The application for submission entails the following applications:

Departure, Building line encroachment, on the northern side by 1370mm from 1.570m to 0.200m

Surrounding Land uses and Characteristics

The immediate land uses surrounding Erf 532, Franskraal mainly consists of residential uses but due to the location of erf 532 and the usage it is bordered by a business premises.



Across the road on the western side there are a double storey apartment block and a shopping centre.



The Franskraal area is characterized with excellent fishing and walking spots and lookout points with panoramic views. It is a holiday destination with many people owning holiday houses but also accommodate local residence.

Erf 532 is in close proximity of De Kelders, Gansbaai and Kleinbaai which are areas well known for Shark cage diving, whale watching boat trips and Fynbos viewing. The Overstrand spatial plan was formulated by extensive specialist studies, that covers all facets of the economy and these studies indicate that this is a perfect retirement area .

Sustainable development

The development of a sustainable facilities in Franskraal and surrounding towns will lead to the economical advantage of the local communities and will contribute to the area being developed in a strong economical entity.

Impact on character of the Area

Mr. Strauss is of a retirement nature. Many retirement houses exist in the area and the proposed application will therefore not lead to the detriment of the character of the build environment.

Architecture and Esthetics

The existing dwelling is of excellent interior and exterior design and quality and blends in exceptionally with the build environment in the area.

Development requirements

In terms of the local authority's policy ample parking can be provided as can be observed from the property layout plan.

RECOMMENDATION

The proposed departure of the building lines on the dwelling can only contribute positively with no inconvenience for the surrounding area.

**AGENDA of the
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12. **ERF 2410, 103 NINTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : MESSRS SRT ARCHITECTS ON BEHALF OF ZINGARO TRADE 13 (PTY) LTD**

2410 HVK (2677)

**H van der Stoep
19 March 2015**

(028) 313 8900

Hermanus Administration

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for a departure from the Scheme Regulations on Erf 2410, Hermanus in order to relax the street building line from 3m to 2m to construct a new braai and the lateral building line from 2m to 0m, and the encroachment of the restrictive 9m structure on the boundary to legalize an existing carport, **be approved**, subject to the following conditions:
 - (a) that this approval only has reference to the relaxation of the building lines as indicated on drawing no's. 1.1A, 1.2A and 1.3A dated 11 February 2015, as submitted with the application;
 - (b) that all the conditions in the Service Report (attached as Annexure D), be complied with;
 - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of his right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conclusion.

SRA ARCHITECTS PC
 100 MARKET STREET, SUITE 100
 BOSTON, MASSACHUSETTS 02109
 TEL: 617.552.1111 FAX: 617.552.1112
 WWW: WWW.SRA-ARCH.COM
 617.552.1111

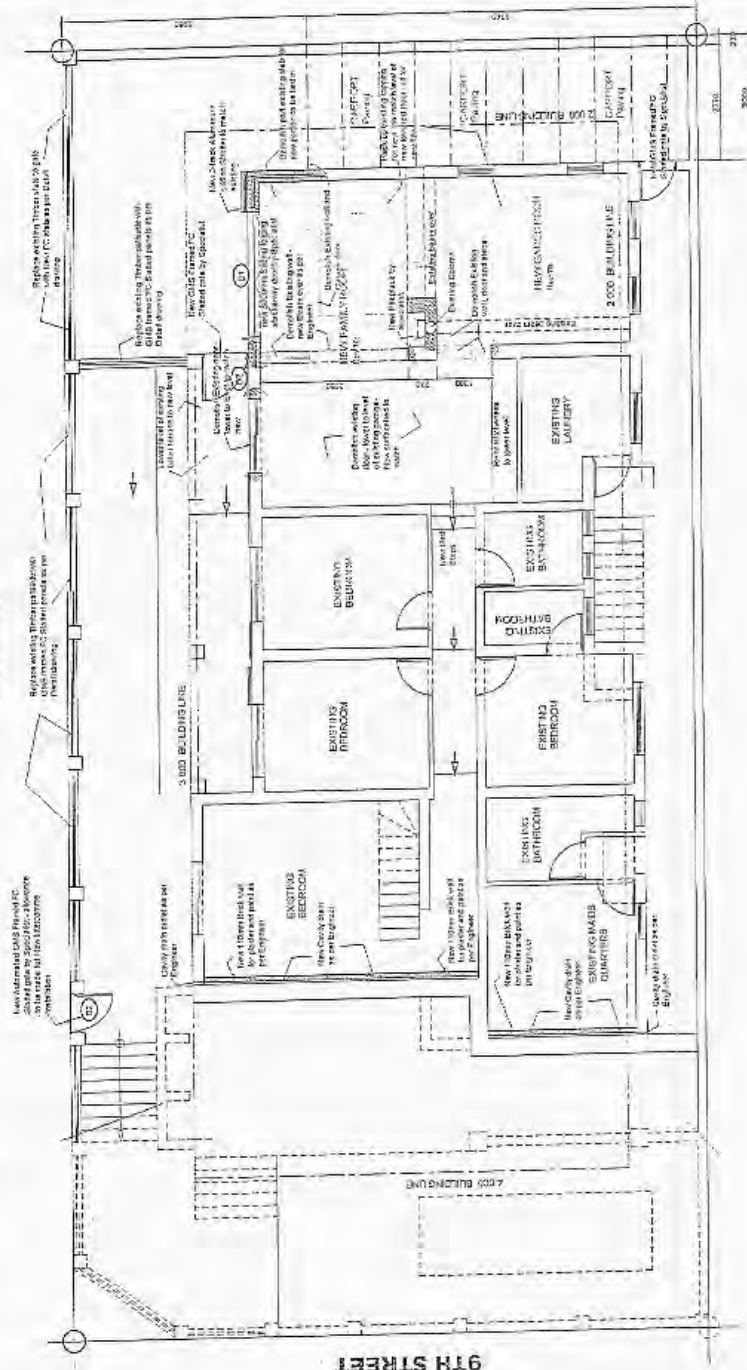
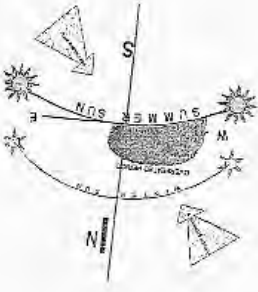
THIS CONTRACTOR'S OBLIGATION
 COMMENCES UPON THE COMMENCEMENT OF WORK AND CONTINUES THROUGHOUT THE ENTIRE PERIOD OF CONSTRUCTION.
 USE REASONABLE DIMENSIONS IN PREFERENCE TO SOUNDING.
 ALL WORK TO COMPLY WITH NATIONAL BUILDING CODES AND LOCAL AUTHORITY REQUIREMENTS.
 ALL DIMENSIONS TO BE READ BY CONSULTING THE SPECIFICATIONS AT ALL TIMES.
 ANY DISCREPANCIES TO BE REPORTED TO ARCHITECT IMMEDIATELY.
 ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
 CLAY BRICK WALLS OF THIRTEEN SHOW COURSE.
 STAIRS & BEAMS TO FURNISH'S SPEC.

CEILING
 ARCHITECT

ADDITIONS AND ALTERATIONS
 LOWER GROUND FLOOR PLAN

HOUSE COLLINS
 403 9TH STREET
 WASHINGTON, DC
 HERMANUS OVERSTRAND

DATE: 10/09/14
 DWG NO: 1.3
 SCALE: 1/8" = 1'-0"



9TH STREET

SRA ARCHITECTS DC
 1415 RINGBROOK DRIVE
 SUITE 200
 WASHINGTON, DC 20004
 TEL: 202-331-8311 FAX: 202-331-8312
 WWW.SRA-ARCHITECTS.COM

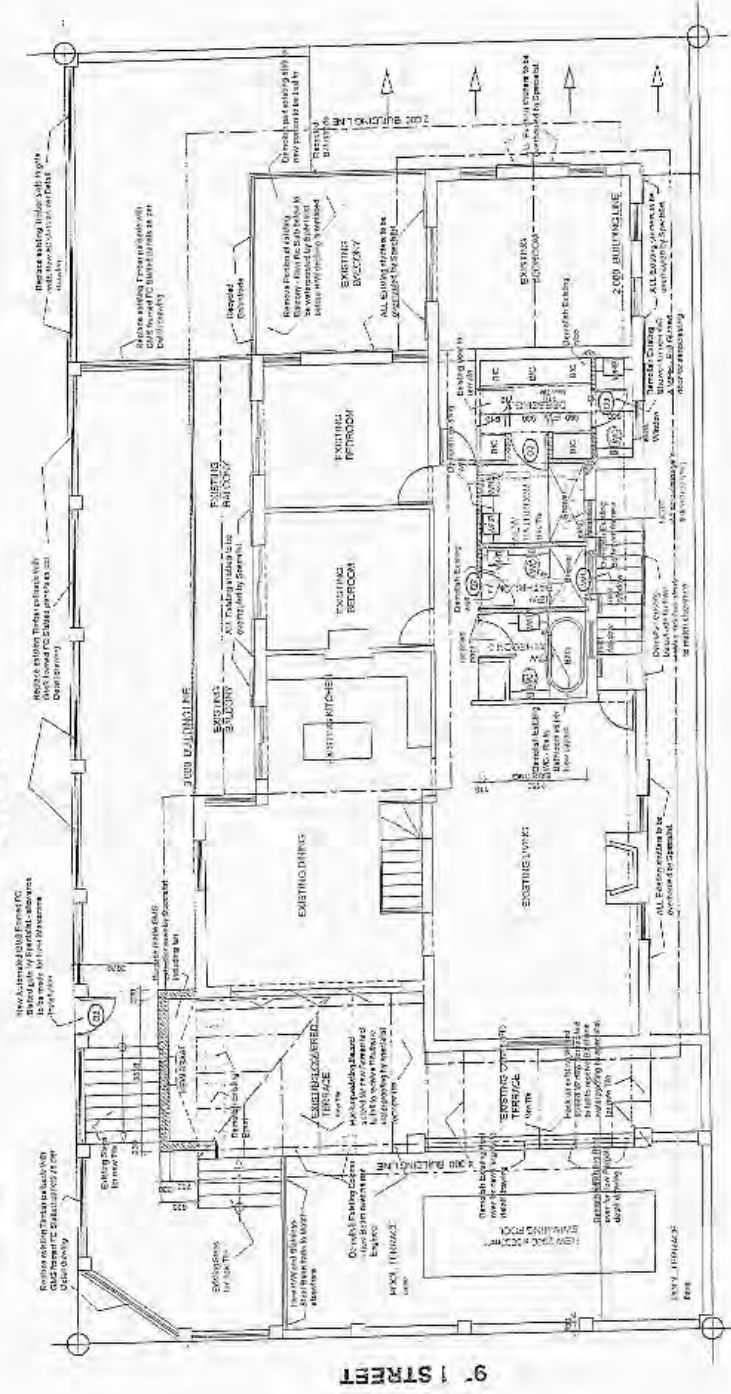
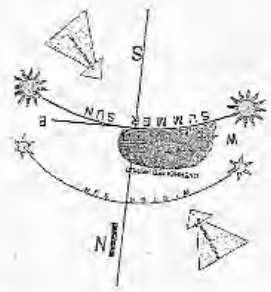
PROJECT: HOUSE COLLINS
DATE: 05/10/14
SCALE: 1/8" = 1'-0"

CLIENT: HERMANUS OVERSTRAAND
ARCHITECT: SRA ARCHITECTS DC

ADDITIONS AND ALTERATIONS
GROUND FLOOR PLAN

HOUSE COLLINS
 103 9TH STREET
 WASHINGTON, DC 20004

DWG.# 1.2



9th STREET

| | |
|-------|--------------|
| DATE | 05/10/14 |
| SCALE | 1/8" = 1'-0" |
| DWG.# | 1.2 |

APPLICATION FOR DEPARTURE, HOUSE COLLINS, ERF.2410, 103 9TH STEET,
VOELKLIP, HERMANUS

S R T ARCHITECTS

ROSSOUW THERON

B. Bouk. (UPE) B. Arch. (UPE)

Pr. Arch. 21190

P.O. BOX 1073

Hermanus

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TOWN PLANNING DEPARTMENT
OVERSTRAND MUNICIPALITY

To whom it may concern:

11 July 2014

Application for Departure, Additions and alterations, Erf.2410, 103 9th Street,
Voelklip, Hermanus

1. Application for Departure

- Our Client Mr. Charles Collins has instructed SRT Architects to apply for departure as per attached drawings
- See attached permission letter
- Drawings attached:
 - Site plan
 - Ground floor Plan
 - First Floor plan
 - Elevations
 - Section A – A
 - Locality map
- Also attached Photo's of existing Dwelling
- The Purpose of the application is that the dwelling was purchased with the carport over the building lines and the Existing 'braai' area is affected by the existing soor opening

2. Description of Existing Dwelling

- The existing dwelling is a Double storey, seven(7) Bedroom, Single Residential dwelling
- There is an existing covered Terrace to the North on Ground Floor Level leading out onto a pool Terrace and an existing Carport on lower Ground floor level to the South
- The property is on 9th Street to the north and an area just marked as Road to the east.

3. Description of Proposed New Development

- The dwelling was purchased with the carport attached to the South side on Lower ground floor level
- There is no record of any plans being submitted and the Structure infringes on lateral building lines on two sides
- The structure also cause the existing development on the property to exceed the 50% coverage requirements from Town Planning Scheme for single residential buildings in the area
- Part of this application is to get the existing Carport approved

**APPLICATION FOR DEPARTURE, HOUSE COLLINS, ERF.2410, 103 9TH STREET,
VOeLKLIP, HERMANUS**

2

- The Existing 'Braai' area on the Ground Storey North Terrace also needs to be re-developed
- The proposal would be to move the existing Braai by 1m to the east to allow for more clearance at the existing doorway.
- With the existing 'braai' and door positions, it is impossible to use the area effectively when doors are open.
- By moving the 'braai' 1m to the East it will cause the new structure to be 1m over East Street Building reserve

4. Applicable departures

| Town Plan | Departure |
|-----------------------------------------------------------------------------------|------------------|
| - Primary use | NO |
| - Consent use | NO |
| - Floor Factor | NO |
| - Coverage | YES |
| <i>Total Coverage = 55.2%</i> | |
| - Height | NO |
| - Street Building Line | YES |
| <i>East Street building reserve – 1m into 3m reserve</i> | |
| - Lateral Building Lines (Existing Carport) | YES |
| <i>South Building reserve Carport onto property line for a distance of 9,760m</i> | |
| <i>West Building reserve Carport onto property line for a distance of 3,250m</i> | |
| - Parking | NO |
| - Site Access Requirements | NO |
| - Basements – | NO |
| - Projections – | NO |
| - Site Development Plan | NO |

5. Motivational Report

5.1 General

- The use of the building will change from being a holiday house to being a permanent residence
- The Carport to the south is an existing Structure that was purchased with the dwelling
- It is at a lower ground floor level and does not adversely affect any neighbours – regarding light and views
- The neighbouring property to the south also has an existing structure abutting the existing carport for its full length from east to west, its use is unknown.
- The 'Braai' Terrace to the North on Ground floor level is not very effective due to the door opening onto one side of the 'braai'
- The proposal is to move the Braai 1m to the east over the street building reserve to allow for more space at the existing door
- The actual chimney above roof level is kept to a minimum as to not adversely affect any surrounding neighbours
- The additional structure will be a 'braai' area only and no habitable space will be added onto the north terrace

5.2 Desirability

5.2.1. Physical Characteristics

- There will be no change to the physical characteristics of the land.

**APPLICATION FOR DEPARTURE, HOUSE COLLINS, ERF.2410, 103 9TH STEET,
VOeLKLIP, HERMANUS**

- No effect on existing traffic conditions
- The aesthetics of the building will remain in style with existing architecture
- The only additional structure will be part of the residential element and there will be no change in the existing – topography, geological formations, soil characteristics, rock formations, vegetation, flood plains, water tables and drainage patterns.
- In the event of any of the before mentioned being affected – engineers report will be attached

5.2.2 Existing planning in the area

- Single Residential building

5.2.3 Character of the surrounding area

- The new development will be designed to blend in with the existing, so there will be no change in respect to – views, streetscape and privacy of surrounding properties
- The accommodation density will remain the same as the additional structure on the property will be for the residential element only
- The building will remain in scale with the surrounding properties

5.2.4 Potential of the property

- The property is a residential property at the moment so it does not warrant any other potential

5.2.5 Location and accessibility

- Access can be obtained via 9th street into the access road – marked only as ‘Road’ on Town Map

5.2.6 Provision of Services

5.2.7 Construction Phase proposal

- The construction phase will be approx 5 months should the application be approved
- Building materials, etc will be stored on site

6. Form of the detailed Layout plan

6.1 Inherent characteristics of the terrain

- Remain as is

6.2 Provision of Community facilities and open spaces

- Remain as is

6.3 Road Infrastructure

- Remain as is

6.4 Local Businesses and High Density housing

- Remain as is

7. Photos

- 7.1 See attached

8. Title Deed

- 8.1 Copy of Title deed attached

Kind Regards
Rossouw Theron

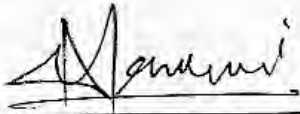


**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE: ERF 2410, VOELKLIP**

Electricity : In order
Water : In order
Sewer : In order
Stormwater : In order
Roads and traffic : In order

Conditions:

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that stormwater be allowed to discharge through Erf 2410, Voelklip, unobstructed;
3. that no on-street parking be allowed.



DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

14/11/2014

DATE