

ERF 3133, 30 DEMPERS STREET, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE PENALTY: ENGELBERCHT & SCORGIE ARCHITECTURAL OFFICE ON BEHALF OF A FOURIE

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-law) for the following:

Departure in terms of Section 16(2)(b) of the Bylaw for the following:

- Relaxation of the street building line from 4m to 3.5m to legalize a portion of the existing stoep.
- Relaxation of the eastern lateral building line from 2m to 0.7m to legalize portions of the existing dwelling, to accommodate new alterations to the existing dwelling, a roof to enclose an existing courtyard and to accommodate a use change of a Servants Quarters into a bedroom.
- Relaxation of the northern rear building line from 2m to 1m to accommodate a new outside braai and steel staircase.

Determination of an administrative penalty in terms of Section 16(2)(q) of the By-Law to accommodate the illegal building work.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, Paterson Street, Hermanus. Any written comments may be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law to the Municipality (16 Paterson Street, Hermanus / (e) loretta@overstrand.gov.za) on or before **30 August 2024**, quoting your name, address and contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to the **Town Planner, Mr. H. Olivier** at 028-313 8900. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

ERF 3133, DEMPERS STRAAT 30, ONRUSTRIVIER, OVERSTRAND MUNISIPALE GEBIED: AANSOEK VIR AFWYKING & BEPALING VAN 'N ADMINISTRATIEWE BOETE: ENGELBRECHT & SCORGIE ARCHITECTURAL OFFICE NAMENS A FOURIE

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) vir die:

Afwyking ingevolge Artikel 16(2)(b) van die Verordening vir die volgende:

- Verslapping van die straat, boulyn vanaf 4m na 3.5m vir die wetgeving van 'n gedeelte van die bestaande stoep.
- Verslapping van die oostelike sy boulyn vanaf 2m na 0.7m vir die wetgeving van gedeeltes van die bestaande woning, om nuwe veranderinge aan die bestaande woning, 'n dak om 'n bestaande binnehof toe te maak en om 'n gebruiksverandering van 'n personeelkwartiere na 'n slaapkamer.
- Verslapping van die noordelike agter boulyn vanaf 2m na 1m vir die nuwe buite braai en staal trappe te akkommodeer.

Bepaling van Administratiewe Boete ingevolge Artikel 16(2)(q) van die Verordening om die onwettige bouwerk te akkommodeer.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. Enige kommentaar op die voorstel moet skriftelik ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening na die Munisipaliteit (Patersonstraat 16, Hermanus / (e) loretta@overstrand.gov.za) voor of op **30 Augustus 2024**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan die **Stadsbeplanner, Mnr. H. Olivier** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

ERF 3133, 30 DEMPERS STREET, ONRUSTRIVIER, WO MASIPALA WENGINGQI ESE-OVERSTRAND: ISICELO SOPHAMBUKO NENGIKELELO YOMDLIWO: ENGELBERCHT & SCORGIE ARCHITECTURAL OFFICE EGAMELI LIKA - A FOURIE

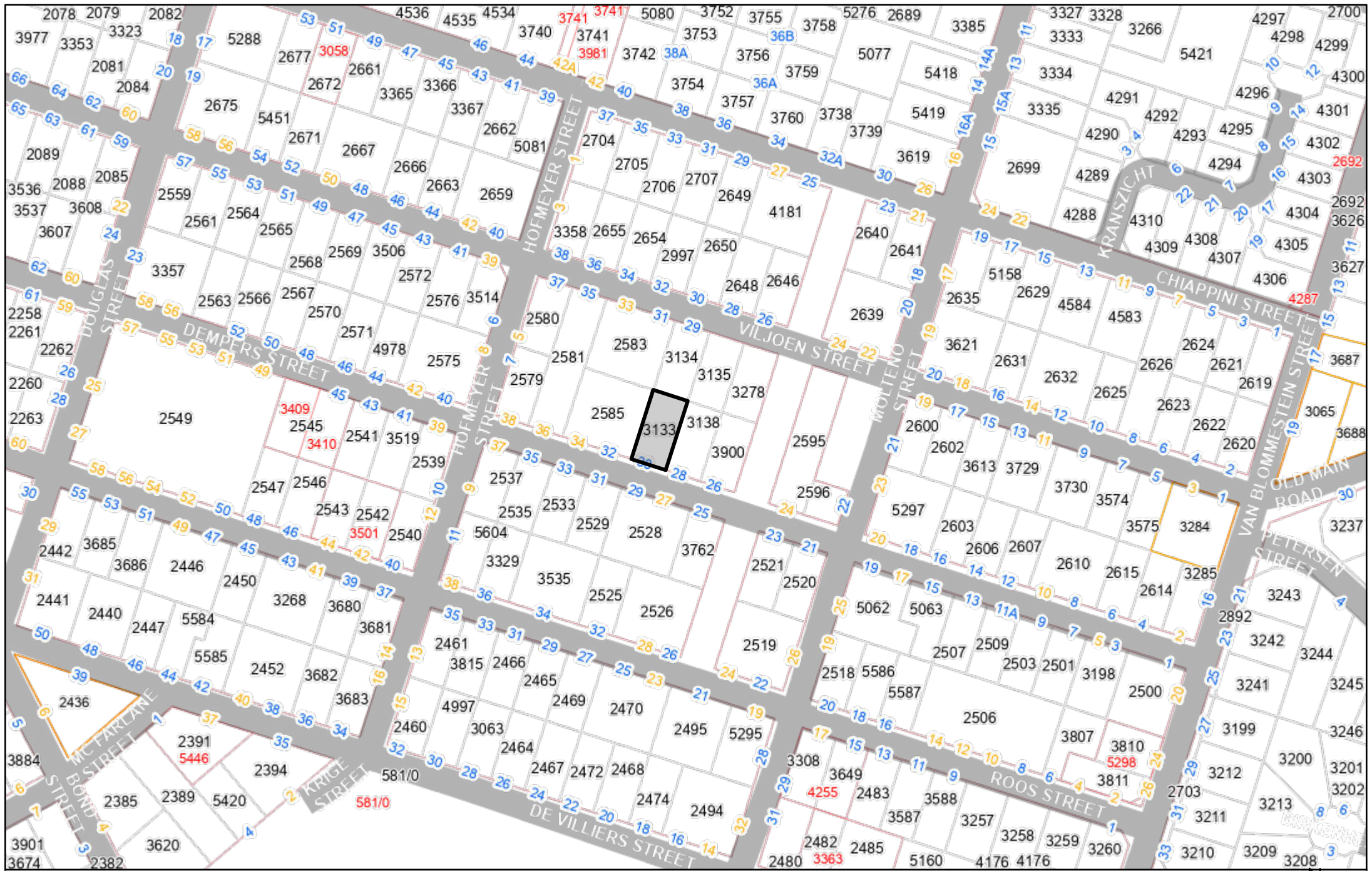
Isaziso siyanikezelwa ngokweCandelo lama-48 loMthetho kaMasipala oLungisiweyo woMasipala wase-Overstrand ongoCwangciso lokuSetyenziswa koMhlaba kaMasipala, 2020 (uMthetho kaMasipala) sokuba isicelo sifunyenwe soku kulandelayo:

Ukwahlula ngokwemiba yeSolotyale 16(2)(b) loMthethwana ongemiba elandelayo:

- Ukunyeyisa umgca wolwakihiwo lwendlela ukusuka kwii-mitha ezi 4m ukuya kwii-mitha ezi 3.5m ukuze kumiselwe ngokusemthethweni umlinganiselo wesitupu esikhoyo
- Ukunyenyisa umgca wesakhiwo kwicala eliseNtshona ukusuka kwii-mitha ezi 2m ukuya kwii-mitha ezi 0.7m ukwenza ngokusemthethweni umlinganiselo wendawo yokuhlala ekhoyo, ukwamkela utshintsho olutsha kwindawo yokuhlala ekhoyo, uphahla olubiyelwe intendezezo esele lukhon, kunye nokwamkela utshintsho losetyenziso lwe Ndawo yaba Sebenzi kwigumbi lokulala.
- Ukunyenyisa umgca wesakhiwo esingasemva kwicala laseMpuma ukusuka kwii-mitha ezi 2m ukuya kwii-mitha ezi 1m ukuze kulungiselelwe indawo entsha yoku braya engaphandle kwakunye nezitepisi zentsimbi.

Ingqikelelo yomdlivo wobhaliso ngokwemiba yeSolotyale 16(2)(q) loMthethwana ongokwakihiwa kwigumbi lokuhlambela, igumbi lokulala, igumbi lokucina iimpahla negumbi lemidlao kwesi siza Ukulungiselela umsebenzi wokwakha ongekho mthethweni.

linkcukacha eziphelelyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwintsuku zaphakathi evekini ukusukela kwintsimbi ye-08:00 neye-16:30 kwiSebe: Izicwangciso zeDolophu, Paterson Street, Hermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe kwaMasipala ngokwezibonelelo zeSolotyale lama-51 nelama-52 loMthethwana ochazwe ngentla (16 Paterson Street, Hermanus / (e) loretta@overstrand.gov.za) ngomhla okanye ngaphambi komhla ka **30 EyeThupa 2024**, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla. Imibuzo ngefowuni ingathunyelwa kuMwangcisi weDolophu, uMnu. **Mr. H. Olivier** kwa-028-313 8900. Umasipala angala ukwamkela izimvo ezifunyenwe emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angandwendwela kwiSebe Lezicwangciso zeDolophu apho igosa likamasipala liza kumnceda ukuhlomla ngokusemthethweni.



Locality Map

ERF 3133, 30 DEMPER STREET, ONRUSTRIVIER



Date: 2024/05/10

1. INTRODUCTION TO THE DEPARTURE APPLICATION:

1.1 BACKGROUND:

The owner of the property, Ms. A. Fourie has instructed Brandon Scorgie from the firm Engelbrecht & Scorgie Architectural office to apply for a building line departure from the Overstrand Municipality's Zoning Scheme Regulations. Refer to Annexure E for the enclosed Power of Attorney.

Erf 3133, referred to in this document as the application area, measures 494m² in extent and is held by Title Deed no. T000044184/2023. Refer to annexure C for the enclosed Title Deed.

1.2 APPLICATION DETAIL:

1.2.1 PERMANENT BUILDING LINE DEPARTURE APPLICATIONS:

The Overstrand Municipality's By-Laws on Municipal Land Use Planning, Chapter 4, Section 16(2)(b), 2020, state that an owner of an erf may apply to the Overstrand Municipality for a permanent departure from the provisions as stated in the Overstrand Municipality's Zoning Scheme Regulations; therefore, an application is made in terms of;

Section 6.1.2 (b)(i) of the Overstrand Municipality's Zoning Scheme Regulations for the permanent departure from the street building lines applicable to the application area.

According to the Overstrand Municipality's Zoning Scheme Regulations, the street building line is determined in accordance with the net erf area, as listed in the table below:

Net erf area:	Street building line
400m ² and greater	4.0m

Section 6.1.2 (b)(ii) of the Overstrand Municipality's Zoning Scheme Regulations for the permanent departure from the lateral and rear building lines applicable to the application area.

According to the Overstrand Municipality's Zoning Scheme Regulations, the lateral and rear building lines are determined in accordance with the net erf area, as listed in the table below:

Net erf area:	Side and rear building line
400m ² and greater	2.0m

1.2.2 PERMISSION REQUIRED APPLICATIONS:

The Overstrand Municipality's By-Laws on Municipal Land Use Planning 2020, state that an owner of an erf may apply to the Overstrand Municipality for the permission required to make changes within previously approved structures that encroach Municipal Building Lines; therefore, an application is made for the permission required to make several changes on previously approved structures that encroach current Municipal Building Lines. These changes comprise the following:

- The conversion of the existing and approved Servant's Quarters into a guest bedroom that will be integrated into the existing dwelling,

- Relocating the existing and previously approved shade port to a new position
- The conversion of a window that was originally constructed over the current 2.0m Eastern Municipal Lateral Building Line into a new Aluminium frame stack-away door.

1.2.3 **DETERMINATION OF AN ADMINISTRATIVE PENALTY:**

The Overstrand Municipality's amended By-laws on Municipal Land Use Planning, Chapter 10, Section 90, 2020, state that a person who is in contravention of this By-laws, and submits application to rectify the contravention, must apply to the Municipality for the determination of an administrative penalty; therefore, an application is made for the determination of an administrative penalty for the unauthorized, as-built structures that currently encroaches the 4.0m Municipal Street Building Line and the 2.0m Eastern Municipal Lateral Building Line as raised later in this Departure Application Document.

1.3 PROPERTY DESCRIPTION, ZONING AND PROPERTY ANALYSIS:

1.3.1 PROPERTY DESCRIPTION:

The application area of 494m² in extent is situated at 30 Dempers Street, Onrust Rivier. Refer to Annexure H for the enclosed Locality plan.

The dwelling on Erf 3313, the application area, is characterized by residential structures comprising typical family-type living accommodation. These areas include a kitchen, living area, TV lounge, 3 bedrooms, 2 bathrooms, with one bathroom being an en-suite bathroom, an enclosed yet uncovered braai stoep, a single garage, and a servant's quarters.

Refer to Annexures K and L for the enclosed drawings indicated the as-built dwelling along with the proposed new development on the application area.

The footprint of the existing dwelling on the application area along with the proposed new additions and alterations comprise the following:

EXISTING FLOOR AREAS:

Existing dwelling	= 99.50m ²
Existing Servant's Quarters	= 35.50m ²
Existing single garage	= 22.70m ²
Existing stoep	= 17.70m ²
Existing entrance porch	= 3.00m ²
Total existing floor areas	= 178.40m ²

PROPOSED NEW FLOOR AREAS:

New addition to bedroom 1	= 3.90m ²
Enclosed patio	= 36.10m ²
New covered patio	= 18.20m ²
New addition to garage (bathroom)	= 5.10m ²
First floor hobby room	= 27.80m ²
Total new floor areas	= 91.10m ²

COVERAGE CALCULATIONS:

Erf size	= 494.00m ²
Total covered area (m ²)	= 241.70m ²
Total covered area (%)	= 48.90%

1.3.2 **ZONING:**

Erf 3133, the application area, has the following land use rights:

Erf number:	Zoning:
Erf 3133, Onrust River	Residential Zone 1: Single Residential

All erven directly surrounding the application area are also zoned as Residential Zone 1: Single Residential erven, with the exception of Erf 2595 and Erf 2596, which is located East of the application area and zoned as Authority Zone: Authority usage, and the surrounding roadway zoned as Transport Zone 2: Road and Parking. Please refer to the zoning map abstract provided below.

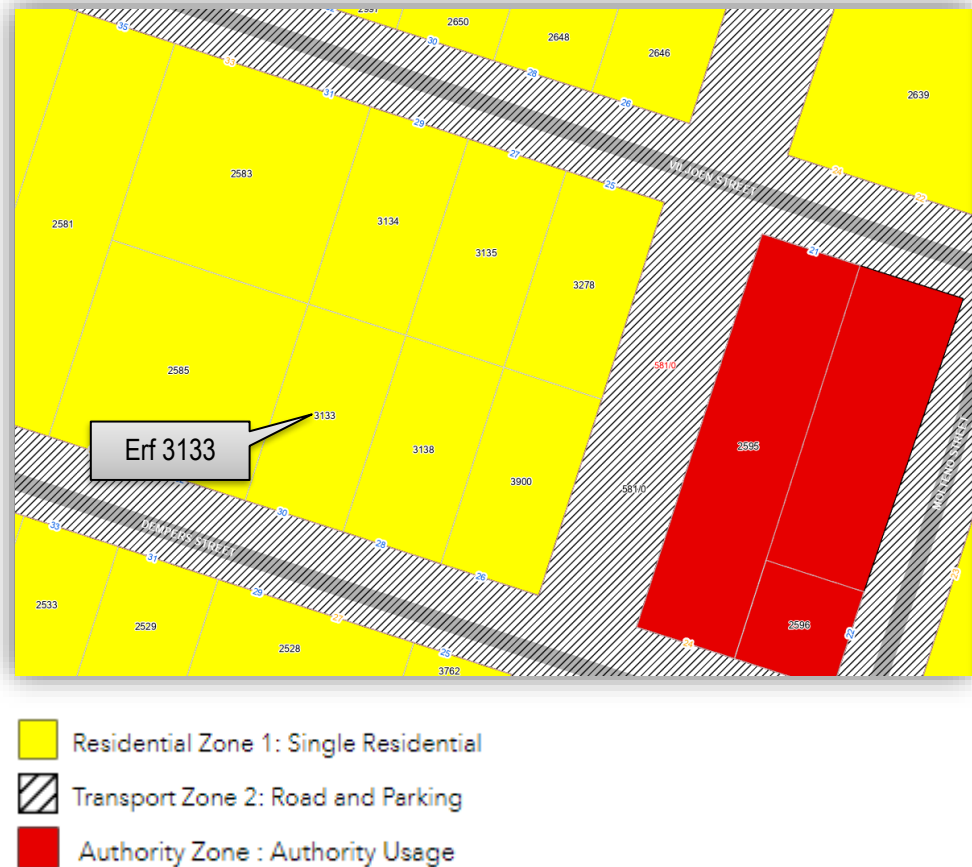


Figure 1: Zoning, an extract from the Overstand Public Viewer – NOT TO SCALE

1.3.3 **PROPERTY ANALYSIS AS PER THE OVERSTRAND MUNICIPALITY'S ZONING SCHEME REGULATIONS:**

The development parameters for the application area as per the Overstrand Municipality Land Use Scheme, 2020 can be summarized as follows:

Design parameters:		Overstrand Municipality's Zoning Scheme Regulations:	Proposal:	Comments:
Zoning		Residential Zone 1: Single Residential (SR1)	Residential Zone 1: Single Residential (SR1)	Unchanged
Primary Use		Crèche, dwelling house, guest rooms, home occupation, second dwelling unit and self - catering	Dwelling house	Unchanged
Consent Use		Day care centre, green house, guest house, house shop, institution, place of instruction, place of worship, residential building and intensive horticulture	None	Unchanged
Coverage		50%	48.93%	Unchanged
Height Restriction		8.0m	8.0m	Unchanged
Building lines	Street	4.0m	3.50m	Application for a departure
	Side (West)	2.0m	2.0m	Unchanged
	Side (East)	2.0m	0.7m	Application for a departure
	Rear	2.0m	1.0m	Application for a departure
Parking		Dwelling house: 2 bays	Dwelling house: 2 bays	Unchanged

1.3.4 **PROPERTY ANALYSIS AS PER THE TITLE DEED OF THE APPLICATION AREA:**

Refer to Annexure C for the enclosed Title Deed for Erf 3133, Onrust River.

Title Deed No. T000044184/2023 was perused and there are no restrictive conditions that prohibits the proposals being made.

There is a bond registered against Erf 3133. Refer to Annexure D for the enclosed Bondholder's written consent.

2. CONTEXTUAL SITE INFORMATION:

2.1 LOCATION:

2.1.1 APPLICATION AREA WITHIN A REGIONAL CONTEXT:

Within a regional context, the application area is located in Onrust Rivier.

Refer to Annexure H for the enclosed Locality layout



Figure 2: Erf 3133 within a Regional Context, an extract from Google Maps – NOT TO SCALE

2.1.2 APPLICATION AREA WITHIN A LOCAL CONTEXT:

Within a local context, the application area consists of a residential erf within Onrust Rivier. The application area is located at 30 Dempers Street, Onrust Rivier.



Figure 3: Erf 3133 within a Local Context, an extract from the Overstrand Public Viewer – NOT TO SCALE

3. **BACKGROUND AND INTRODUCTION TO THE APPLICATION AND THE ACTUAL APPLICATION:**

3.1 **BACKGROUND AND INTRODUCTION TO THE APPLICATION:**

Our firm, Engelbrecht & Scorgie Architectural Office, was appointed in early 2024 by Ms. A. Fourie to prepare drawings for a few additions and alterations to the existing dwelling on Erf 3133. These additions and alterations comprise the following:

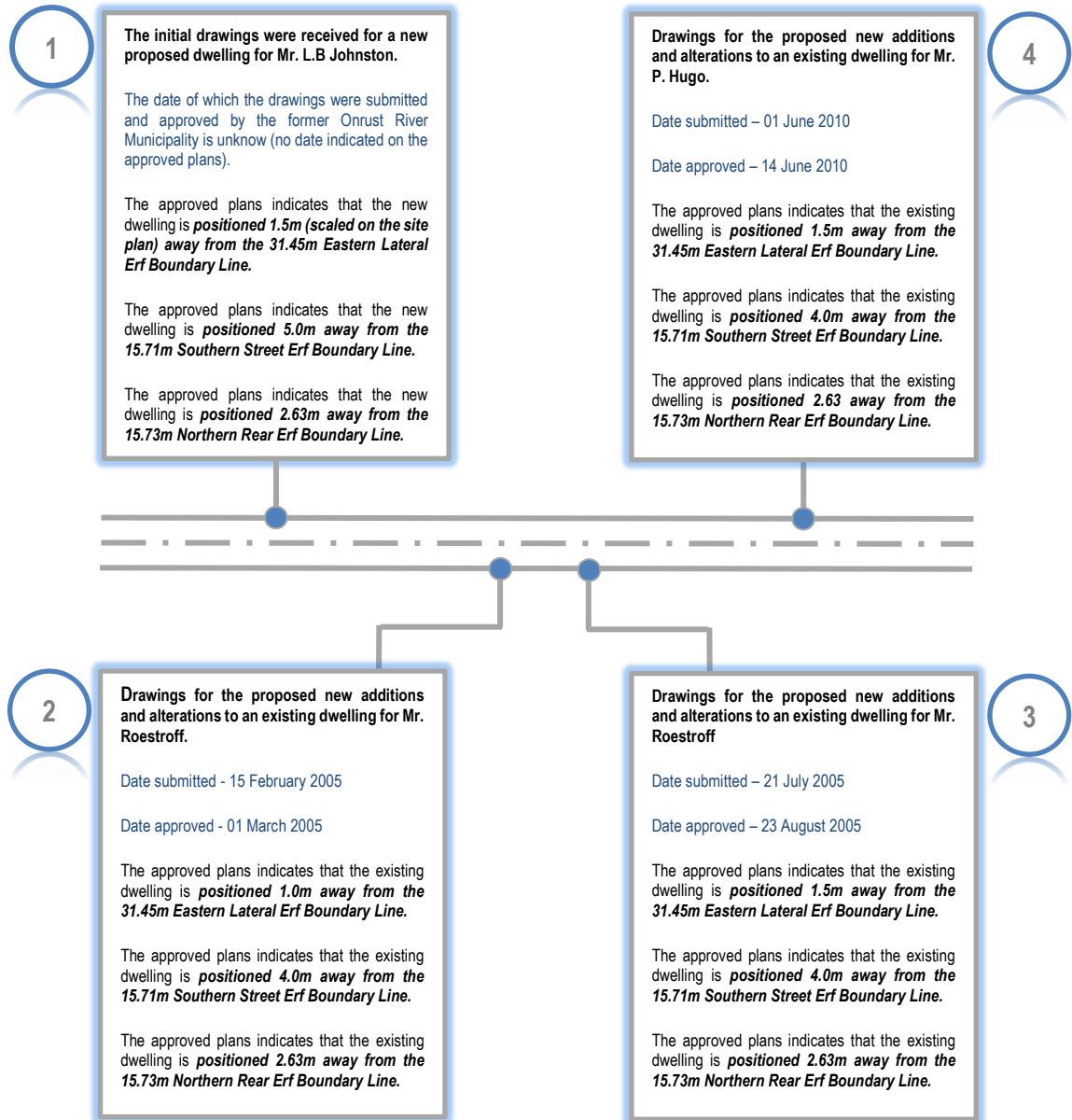
- Increasing the footprint of the existing single garage to accommodate a new bathroom comprising a toilet, hand wash basin, and shower that will be used by a domestic worker or garden worker,
- A covered patio between the existing single garage and the approved Servant's quarters,
- Changing the existing and approved Servant's quarters into a guest bedroom. The conversion of the previously approved Servant's quarters into a guest bedroom necessitated a few modifications. These changes included demolishing the existing partition wall between the bedroom and the existing dressing room, as well as adding a new coffee station for guests,
- Converting the existing open court yard into an enclosed, covered patio,
- The addition of an outside braai with a small braai worktop on the North Eastern corner of the property,
- Increasing the footprint of the existing bedroom one to allow for a new built-in cupboard,
- The addition of a street boundary wall with palisade fencing purely for security purposes,
- The addition of a hobby room on the first floor, situated above the existing single garage. Access to the subject first floor hobby room will be facilitated by a newly proposed exterior galvanized steel staircase on the North Western corner of the property.

When copies of the previously approved drawings were obtained from the Overstrand Municipality's Building Control Department (to serve as a foundation for assessing the existing and approved dwelling, and to use mainly as a basis for measuring up the existing dwelling on the application area), we identified several significant discrepancies between the approved dwelling on record at the Overstrand Municipality's Building Control Department and the dwelling we assessed and measured up on site. These significant discrepancies comprise the following:

- The existing dwelling was approved and constructed during the ruling of the former Onrust River Municipality when the lateral and rear building lines applicable then were 0.9m measured from the erf boundary line. Notably, despite the 0.9m side building line applicable during that time, the appointed Architect / Draughtsman, indicated the proposed dwelling as being 1.5m (scaled on the drawings) away from the 31.45m Eastern Lateral Erf Boundary Line.
- The current open space between the 31.45m Eastern Lateral Erf Boundary Line and the existing as-built dwelling is significantly less than the specified 1.5m indicated on the approved drawings.

- The current open space between the 15.73m Northern Rear Erf Boundary Line and the existing as-built dwelling significantly exceeds the specified 2.63m indicated on the approved drawings.
- From the initial drawings for the proposed new dwelling to subsequent proposed additions and alteration plans submitted thereafter to the former Onrust River Municipality and then later to the newly formed Overstrand Municipality, various appointed Architects / Draughtsman consistently indicated that the footprint of the existing dwelling on the application area had shifted.

The diagrammatic timeline provided below illustrates the above-mentioned footprint shifting. In this timeline, numbers 1 to 4 represent all the drawings submitted by the various appointed Architects / Draughtsman throughout the years for new proposed additions and alterations to the existing dwelling on the application area:



This incongruity necessitated further examination and was brought to our client, Ms. A. Fourie's attention, who expressed astonishment at our findings. Having purchased the property in 2023, she operated under the assumption that the approved plans on record at the Overstrand Municipality's Building Control Department held validity. Subsequently, we advised Ms. Fourie that we would need to appoint a Land Surveyor to conduct a thorough survey of the existing dwelling on the application area. This survey will include determining the precise placement of the existing dwelling in relation to the Erf Boundaries.

Upon receiving the Land Surveyor's diagram (refer to Annexure N for the enclosed Land Surveyor's diagram), we noted that during the initial construction of the dwelling (the exact date of which remains unknown due to the absence of a date provided on the first approved drawings of the dwelling on the application area), the dwelling was not positioned and constructed in accordance with the indicated setting-out dimensions provided on the subject approved building plans. The initial dwelling, indicated as a proposed new dwelling for Mr. L.B. Johnston, was intended to be constructed 1.5m (measured from the approved drawings on record at the Overstrand Municipality's Building Control Department) away from the 31.45m Eastern Lateral Erf Boundary Line, 5.0m away from the 15.71m Southern Street Erf Boundary Line, and 2.63m away from the Northern Rear Erf Boundary Line. However, after receiving the appointed Land Surveyor's diagram, it became evident that the existing dwelling was, in fact, not constructed according to the above-mentioned setting out dimensions provided on the approved drawings.

As the appointed firm responsible to further examine the above-mentioned incongruity, we made the **assumption** that the setting-out discrepancy may have arisen due to an inadvertent setting-out error made by the contractor appointed by the former property owner, Mr. L.B. Johnston, during the construction of the initial dwelling on the application area. In the subsequent drawings submitted for proposed new additions and alterations to the existing dwelling by various other appointed Architects / Draughtsman, the actual placement of the existing dwelling in relation to the Erf Boundaries was never corrected for unknown reasons. As a result of the above-mentioned failure to correctly indicate the accurate, as-built placement of the existing dwelling, all the proposed additions and alterations to the existing dwelling were inadvertently constructed over the Municipal building lines.

In addition to the Council Submission drawings for the above-mentioned proposed additions and alterations to the existing dwelling on the application area, our services were then further extended by preparing and submitting a Departure Application to rectify the above-mentioned discrepancies on behalf of our client, Ms. A. Fourie, and preparing and submitting an application for the determination of an Administrative Penalty for the incorrect placement of the as-built dwelling.

3.2 THE ACTUAL APPLICATION:

3.2.1 PERMANENT BUILDING LINE DEPARTURE APPLICATIONS:

As stated elsewhere in this Departure Application Document, the Overstrand Municipality's By-Laws on Municipal Land Use Planning, Chapter 4, Section 16(2)(b), 2020, state that an owner of an erf may apply to the Overstrand Municipality for a **permanent building line departure** from the provisions as stated in the Overstrand Municipality's Zoning Scheme Regulations; therefore, an application is made for:

3.2.1.1 The relaxation of the Municipal Street Building Line from 4.0m to 3.5m:

The subject relaxation is necessary to accommodate a portion of the existing entrance stoep's footprint that encroaches the subject building line. *The subject*

*encroachment is **unauthorized** as a result of an inadvertent setting-out error during the construction of the initial dwelling on the application area.*

3.2.1.2 The relaxation of the Eastern Municipal Lateral Building Line from 2.0m to 0.7m:

The subject relaxation is necessary to accommodate:

- a portion of the existing dwelling's footprint that encroaches the subject building line. *The subject encroachment is **unauthorized** as a result of an inadvertent setting-out error during the construction of the initial dwelling on the application area,*
- the conversion of the existing and approved open courtyard on the Eastern side of the property into a new enclosed covered patio. This will be achieved through the addition of a new proposed roof structure that will encroach the current 2.0m Eastern Municipal Lateral Building Line,

3.2.1.3 The relaxation of the Northern Municipal Rear Building Line from 2.0m to 1.0m:

The subject relaxation is necessary to accommodate:

- a new proposed outside braai with a small braai worktop,
- a new proposed galvanized steel staircase providing access to the new proposed first floor hobby room.

3.2.2 **PERMISSION REQUIRED APPLICATIONS:**

The Overstrand Municipality's By-Laws on Municipal Land Use Planning 2020, state that an owner of an erf may apply to the Overstrand Municipality for the permission required to make changes within previously approved structures that encroach Municipal Building Lines; therefore, an application is made for the permission required for:

3.2.2.1 The permission for a usage change within the 2.0m Eastern Municipal Lateral Building Line:

This permission requires that the existing and approved Servant's Quarters be converted into a guest bedroom that forms part of the existing dwelling on the application area. The conversion of the previously approved Servant's quarters into a guest bedroom necessitates a few modifications that do not fall within the 2.0m Eastern Municipal Lateral Building Line. These changes included demolishing the existing and approved partition wall between the bedroom and the existing dressing room, as well as adding a new coffee station for guests.

3.2.2.2 The permission to move an existing and approved shade port, that was initially approved in 2010 as encroaching the 2.0m Western Municipal Lateral Building Line, to a new position within the 2.0m Western Municipal Lateral Building Line:

This permission requires that the existing and previously approved shade port, be moved to a new position. The proposed new position of the existing shade port will still encroach the subject Municipal Building Line.

3.2.2.3 The permission to make changes within the existing, as-built structures that currently encroaches the 2.0m Eastern Municipal Lateral Building Line:

This permission requires the conversion of a window in the existing living room, constructed over the current 2.0m Eastern Municipal Lateral Building Line, into a new Aluminium frame stack-away door. This will be achieved through removing the existing window, altering the existing opening and installing a new Aluminium frame stack-away door.

Refer to Annexure A for the enclosed Town Planning application form.

Refer to Annexure K and L for the enclosed drawings indicating the unauthorized, as built structures along with the new proposed additions and alterations to the existing dwelling on the application area.

3.2.3 **DETERMINATION OF AN ADMINISTRATIVE PENALTY:**

The Overstrand Municipality's amended By-laws on Municipal Land Use Planning, Chapter 10, Section 90, 2020, state that a person who is in contravention of this By-laws, and submits application to rectify the contravention, must apply to the Municipality for the **determination of an administrative penalty**; therefore, an application is made for the determination of an administrative penalty for the unauthorized, as-built structures constructed within the subject building line(s), as highlighted throughout this Departure Application Document.

Refer to Annexure I for the enclosed administrative penalty application form.

3.2.3.1 **BACKGROUND AND SUMMARY OF THE CONTRAVENTION:**

As mentioned elsewhere in this Departure Application Document, our firm, Engelbrecht & Scorgie Architectural Office, was appointed in early 2024 by Ms. A. Fourie to prepare drawings for a few additions and alterations to the existing dwelling on Erf 3133, the application area. Please refer to point 3.1 "*Background and introduction to the application*".

When copies of the previously approved building plans were obtained from the Overstrand Municipality's Building Control Department, we identified several significant discrepancies between the approved dwelling on record at the Overstrand Municipality's Building Control Department and the dwelling we assessed and measured up of site. These discrepancies comprise the following:

- The existing dwelling was approved and constructed during the ruling of the former Onrust River Municipality when the lateral and rear building lines applicable then were 0.9m measured from the erf boundary line. Notably, despite the 0.9m side building line applicable during that time, the appointed Architect / Draughtsman, indicated the proposed dwelling as being 1.5m (scaled on the drawings) away from the 31.45m Eastern Lateral Erf Boundary Line
- The current open space between the 31.45m Eastern Lateral Erf Boundary Line and the existing as-built dwelling is significantly less than the specified 1.5m indicated on the approved drawings.

- The current open space between the 15.73m Northern Rear Erf Boundary Line and the existing as-built dwelling significantly exceeds the specified 2.63m indicated on the approved drawings.
- From the initial drawings for the proposed new dwelling to subsequent proposed additions and alteration plans submitted thereafter to the former Onrust River Municipality and then later to the newly formed Overstrand Municipality, various appointed Architects / Draughtsman consistently indicated that the footprint of the existing dwelling on the application area had shifted.

Please refer to the above provided timeline that illustrates the above-mentioned footprint shifting.

The above-mentioned incongruity was brought to our client Ms. A. Fourie's attention, who expressed astonishment of our findings as she recently purchased the property and operated under the assumption that the approved plans on record at the Overstrand Municipality's Building Control Department held validity. Subsequently we advised Ms. Fourie that we would need to appoint a Land Surveyor to conduct a thorough survey of the existing dwelling on the application area to determine the precise placement of the existing dwelling in relation to the Erf Boundaries.

Upon receiving the Land Surveyor's diagram, we noted that during the initial construction of the dwelling (the exact date of which remains unknown due to the absence of a date provided on the first approved drawings of the dwelling on the application area), the dwelling was not positioned and constructed in accordance with the indicated setting-out dimensions provided on the subject approved building plans. The initial dwelling, indicated as a proposed new dwelling for Mr. L.B. Johnston, was intended to be constructed 1.5m (measured from the approved drawings on record at the Overstrand Municipality's Building Control Department) away from the 31.45m Eastern Lateral Erf Boundary Line, 5.0m away from the 15.71m Southern Street Erf Boundary Line, and 2.63m away from the Northern Rear Erf Boundary Line. However, after receiving the appointed Land Surveyor's diagram, it became evident that the existing dwelling was, in fact, not constructed according to the above-mentioned setting out dimensions provided on the approved drawings.

In line with the above-mentioned background and summary of the contraventions, the contraventions can be summarized as follows:

- A portion of the existing entrance stoep's footprint extends beyond the 4.0m Municipal Street building Line. *The subject encroachment is **unauthorized** as a result of an inadvertent setting-out error during the construction of the initial dwelling on the application area.*
- A portion of the existing dwelling's footprint extends beyond the 2.0m Eastern Municipal Lateral Building Line. *The subject encroachment is **unauthorized** as a result of an inadvertent setting-out error during the construction of the initial dwelling on the application area.*

3.2.3.2 NATURE, DURATION, GRAVITY AND EXTENT OF THE CONTRAVENTION:

As contemplated in the Overstrand Municipality's amended By-laws on Municipal Land Use Planning, Chapter 10, Section 90, 2020, the following factors must be considered when determining an appropriate administrative penalty:

1. Nature of the unauthorized, as-built structures;

The nature of the unauthorized, as-built structures is highlighted throughout this Departure Application Document, but can be summarized as follows:

- A portion of the existing entrance stoep's footprint extends beyond the 4.0m Municipal Street building Line.
- A portion of the existing dwelling's footprint extends beyond the 2.0m Eastern Municipal Lateral Building Line.

2. Duration of the unauthorized, as-built structures;

As mentioned earlier in this Departure Application Document, the unauthorized, as-built structures on the application may have arisen due to an inadvertent setting-out error made by the contractor appointed by the former property owner, Mr. L.B. Johnston, during the construction of the initial dwelling on the application area. In the subsequent drawings submitted for proposed new additions and alterations to the existing dwelling by various other appointed Architects / Draughtsman, the actual placement of the existing dwelling in relation to the Erf Boundaries was never corrected for unknown reasons. As a result of the above-mentioned failure to correctly indicate the accurate, as-built placement of the existing dwelling, all the proposed additions and alterations to the existing dwelling were inadvertently constructed over the Municipal building lines.

The exact date of which the initial dwelling on the application area was submitted, approved, and subsequently constructed remains unknown. This lack of information arises from the absence of a date provided on the first submitted drawings. Consequently, the exact duration of the unauthorized, as-built portions that encroach over the 31.45m Eastern Municipal Lateral Building Line and the 4.0m Municipal Street Building Line remains undetermined.

Our client, Ms. A. Fourie purchased the property in 2023 and was never served with a notice with regards to the transgression.

3. Gravity of the unauthorized, as-built structures;

The gravity of the contravention is not considered serious insofar as its extent is limited to a footprint of 21.31m². See calculation provided below.

When determining the gravity of the unauthorized, as-built structures, it is important to take note of the following:

- The existing dwelling was approved and constructed during the ruling of the former Onrust River Municipality, when the lateral and rear building lines applicable then were 0.9m measured from the erf boundary line.
- The unauthorized, as-built structures that currently encroaches the 2.0m Eastern Municipal Lateral building line and the 4.0m Municipal Street Building Line, constitute common residential components typically found on any residential property. With the above being said, it can be assured that the unauthorized, as-built structures are unnoticeable to adjacent property owners and any passersby, do not have a negative impact on the character of the area, do not have a negative impact on the environment, do not have a negative impact on the streetscape, and do not have a negative impact on any of the surrounding properties, as discussed and highlighted later in this Departure Application Document.

4. Extent of the unauthorized, as-built structures;

The extent of the unauthorized, as-built structures calculates to a total of 21.31m², refer to the calculation below:

- Footprint of the existing entrance stoep currently encroaching the 4.0m Municipal Street building Line
 = 1.85m²
 = *(includes only the section of the footprint encroaching the 4.0m Municipal Street Building Line)*
- Footprint of the existing dwelling currently encroaching the 2.0m Eastern Municipal Lateral Building Line
 = 19.46m²
 = *(includes only the section of the footprint encroaching the 2.0m Municipal Street Building Line measured from the approved 1.5m setting out line the outer edge of the existing dwelling)*

5. Conduct of the person involved in the contravention:

As mentioned, and highlighted throughout this Departure Application Document, the portions of the existing dwelling's footprint that encroaches over the 2.0m Eastern Municipal Lateral Building Line and the 4.0m Municipal Street Building Line may have arisen due to an inadvertent setting-out error made by the contractor appointed by the former property owner, Mr. L.B. Johnston, during the construction of the initial dwelling on the application area. With this being said, the intention was never to knowingly contravene the provisions as stated in the Overstrand Municipality's Zoning Scheme Regulations.

6. Whether the unlawful conduct was stopped:

The unauthorized structures, as highlighted throughout this Departure Application Document, are as-built structures. The Overstrand Municipality did not stop the building work and has also not issued a notice with regards to the transgression.

Our client, Ms. A. Fourie is attempting to rectify the contravention by submitting the administration penalty application and subsequent departure application in order to legalize the contraventions, which, as mentioned elsewhere in this Departure Application, were not the wrongdoing of her but rather the appointed contractor who was appointed to construct the initial dwelling on the application area.

7. Whether the person involved in the contravention has previously contravened this By-law or previous planning law:

To the knowledge of this office, it is unknown whether the person involved in the contravention has previously contravened this By-Law or any other previous planning law.

8. A report by a quantity surveyor in matters of the unauthorized building / construction work:

Due to the small-scale nature of the encroachment, no Quantity Surveyor was involved. Our firm, Engelbrecht & Scorgie Architectural Office, consulted with a local, reputable contractor to provide us with an estimating cost report on the unauthorized structures, at current building rates.

Refer to Annexure O for the enclosed costing report in matters of the unauthorized building / construction work.

3.2.3.3 RECOMMENDATION FOR THE DETERMINATION OF THE ADMINISTRATIVE PENALTY:

In light of the above assessment, it is requested that the administrative penalty be waived, as this application serves as a method to rectify the contraventions, which were not the wrongdoing of our client, Ms. A. Fourie, but rather the wrongdoing of the appointed contractor who was appointed to construct the initial dwelling on the application area.

4. GENERAL:

4.1 CHARACTER OF THE ENVIRONMENT IN GENERAL:

The application area is located in the old residential section of Onrust River at 30 Dempers Street. The majority of properties within this section of Onrust River were built during the governance of the former Onrust Municipality. During that time, the lateral and rear building lines were set at 0.9m. As a result, many, if not all, of the properties were constructed in accordance with these 0.9m Lateral and Rear Municipal Building Lines.

Several surrounding and adjacent properties have undergone similar refurbishments over the years, where property owners have also submitted a Departure Application as these existing dwellings were constructed in accordance with the above-mentioned 0.9m Lateral and Rear Municipal Building Lines.

Due to the topography of this particular section of Onrust River, which has a minimal gradient, most, of the properties adjacent to the application area enjoy moderate to fair mountain vistas towards the North, with no possibility of sea views towards the South.

Onrust River, and more specifically, this particular area in which the application area is situated, is renowned for its diverse range of different architectural styles and designs.

Dempers Street is located in the old residential section of Onrust River (as mentioned above), with no historical architecture or conservation-worthy areas.

The surrounding and adjacent properties of the application area are all zoned as Single Residential erven and have been developed with either single or double storey dwellings. These properties serve as either permanent residences or holiday houses.

4.2 EFFECTS THAT THE UNAUTHORIZED, AS BUILT STRUCTURES WILL HAVE ON THE CHARACTER OF THE AREA, THE ENVIRONMENT, THE STREETScape, AND SURROUNDING PROPERTIES:

The unauthorized, as-built structures that currently exceed the 2.0m Eastern Municipal Lateral building line and the 4.0m Municipal Street Building Line, constitute common residential components typically found on any residential property.

With the above being said, it can be assured that the unauthorized, as -built structures:

- Is unnoticeable to adjacent property owners and any passersby,
- Do not have a negative impact on the character of the area,
- Do not have a negative impact on the environment,
- Do not have a negative impact on the streetscape,
- Do not have a negative impact on any of the surrounding properties.

When determining the effects that the unauthorized, as-built structures will have on the character of the area, the environment, the streetscape, and surrounding properties, it is important to note that the existing dwelling on the application area was constructed during the ruling of the former Onrust River Municipality where the Lateral and Rear Building Lines were set at 0.9m. Numerous, if not all, of the adjacent properties within the area were constructed in accordance with these 0.9m Lateral and Rear Municipal Building Lines.

4.3 EFFECTS THAT THE NEW PROPOSED STRUCTURES THAT WILL EXCEED THE 2.0m MUNICIPAL REAR BUILDING LINE WILL HAVE ON THE CHARACTER OF THE AREA, THE ENVIRONMENT, THE STREETScape, AND SURROUNDING PROPERTIES:

The proposed new structures that will exceed the 2.0m Municipal Rear Building Line constitute common residential components typically found on any residential property, are not expected to have a greater visual impact than the existing dwelling on the application area, and are relatively minor in nature.

With the above being said, it can be assured that the new proposed structures that will exceed the 2.0m Municipal Rear Building Line:

- Will be unnoticeable to adjacent property owners and any passersby,
- Will not have a negative impact on the character of the area,
- Will not have a negative impact on the environment,
- Will not have a negative impact on the streetscape,
- Will not have a negative impact on any of the surrounding properties.

Refer to Annexure K and L for the enclosed drawings indicating the unauthorized, as built structures along with the new proposed additions and alterations to the existing dwelling on the application area.

4.4 COMPATIBILITY AND IMPACT OF THE UNAUTHORIZED, AS-BUILT STRUCTURES ALONG WITH THE NEW PROPOSED STRUCTURES:

The compatibility and impact that the unauthorized, as-built structures along with the new proposed structures will have on the immediate surrounding properties were assessed based on the following five factors:

- **Location and proximity:**
The position and proximity of the affected surrounding property in relation to the application area.
- **Land use compatibility:**
This involves evaluating how well the unauthorized, as-built structures, along with the new proposed structures, align with the existing zoning and the current land use in the area.
- **Views:**
This involves how the unauthorized, as-built structures, along with the new proposed structures, might affect the visual landscape of the immediate surrounding properties.
- **Privacy:**
This involves evaluating how the unauthorized, as-built structures along with the new proposed structures might affect the privacy of the immediate surrounding properties.
- **Gravity and visual aesthetics:**
This involves evaluating how the unauthorized, as-built structures, along with the new proposed structure, will harmonize with the immediate surrounding properties.

The aerial photo below reveals the sole properties potentially affected by the proposed development on the application area, which are the following:



Figure 4: Potentially affected property owners, an extract from the Overstrand Public Viewer – NOT TO SCALE

4.4.1 Erf 2585, 32 Dempers Street, Onrust River:

Erf 2585 is **located** directly to the West of the Application area and comprises an existing dwelling that stands as one of the closest properties in **proximity** to the existing dwelling on Erf 3133, the application area. The proximity of the existing dwelling on Erf 2585 surpasses that of any of the immediate surrounding properties.

Erf 2585 is zoned as Residential Zone 1: Single Residential and is exclusively developed for residential uses. The unauthorized, as built structures, along with the new proposed additions and alterations, as mentioned and highlighted throughout this Departure Application Document, are also for residential purposes and adhere to the relevant provisions outlined in the Overstrand Municipality's Amended By-Laws on Municipal Land Use Planning, 2020. Consequently, the above-mentioned structures on the application area align seamlessly with the existing **zoning** and the prevailing **land-use** within the area.

Due to the topography of this particular section of Onrust River, which has a minimal gradient, Erf 2585 was designed to capture fair Northern facing **views** of the mountain. With this being said, the unauthorized, as-built structures along with the proposed new development on the application area are located to the East of Erf 2585, ensuring that it will not affect the existing views or alter the visual landscape for the property owners.

The impact on **privacy** resulting from the unauthorized, as-built structures along with the proposed new development on Erf 3133 in relation to the subject erf, Erf 2585, is considered negligible. This conclusion is based on the following three factors:

- the current layout of the existing dwelling on Erf 2585 ensures that it lives out towards the North Western corner of the erf. With this being said, the unauthorized, as-built structures, along with the proposed new development on the application area is located to the East of the subject erf, Erf 2585,
- the existing Eastern wing of the dwelling on Erf 2585 ensures privacy for the owners of the subject erf.
- the current dense vegetation along the Street and Eastern boundary of Erf 2585 ensures privacy for the owners of the subject erf.

As outlined throughout this Departure Application Document, an application is made for the relaxation of the 4.0m Municipal Street Building Line to accommodate a portion of the existing entrance stoep's footprint that extends beyond the subject building Line, the relaxation of the 2.0m Eastern Municipal Lateral Building Line to accommodate a portion of the existing dwelling's footprint that extends beyond the subject Building Line, and the relaxation of the 2.0m Municipal Rear Building Line to accommodate an outdoor braai and a staircase to access the new proposed first floor hobby room.

It is important to note that the above-mentioned unauthorized, as-built structures, along with the proposed new development on Erf 3133, form part of common residential components found on typical residential properties. With this being said, it can be assured that the **gravity** of the above-mentioned structures is considered negligible, as this does not, and will not have a greater visual impact than any other surrounding dwelling within the area, and that the unauthorized, as-built structures, along with the proposed new development on the application area, do and will seamlessly integrate with the existing residential context and enhance the **visual aesthetics** of the neighborhood.

4.4.2 Erf 2583, 31 Viljoen Street, Onrust River:

Erf 2583 is **located** North West of the application area and comprises an existing dwelling that stands as one of the farthest properties in close **proximity** to the existing dwelling on Erf 3133, the application area. The distance between these two subject properties surpasses that of any of the immediate surrounding properties, primarily due to the current open courtyard space to the South of Erf 2583 and the existing dwellings on Erf 2585 and Erf 3134.

Erf 2583 is zoned as Residential Zone 1: Single Residential and is exclusively developed for residential uses. The unauthorized, as-built structures, along with the new proposed additions and alterations, as mentioned and highlighted throughout this Departure Application Document is also for residential purposes and adhere to the relevant provisions outlined in the Overstrand Municipality's Amended By-Laws on Municipal Land Use Planning, 2020. Consequently, the above-mentioned structures on the application area align seamlessly with the existing **zoning** and the prevailing **land-use** within the area.

The existing single-storey dwelling on Erf 2583 is located North West of the application area and has fair mountain **views** towards the mountain in a Northern direction. The unauthorized, as-built structures, along with the proposed new development on Erf 3133, the application area, are situated to the South East of Erf 2583 and therefore will not affect the existing mountain views and visual landscape for the property owners of the subject erf.

The impact on **privacy** resulting from the unauthorized, as-built structures along with the proposed new development on Erf 3133 in relation to the subject erf, Erf 2583, is considered negligible. This conclusion is based on the current existing outbuildings constructed along the Southern and Eastern Erf Boundary Line on the subject erf, Erf 2583.

As outlined throughout this Departure Application Document, an application is made for the relaxation of the 4.0m Municipal Street Building Line to accommodate a portion of the existing entrance stoep's footprint that extends beyond the subject building Line, the relaxation of the 2.0m Eastern Municipal Lateral Building Line to accommodate a portion of the existing dwelling's footprint that extends beyond the subject Building Line, and the relaxation of the 2.0m Municipal Rear Building Line to accommodate an outdoor braai and a staircase to access the new proposed first floor hobby room.

It is important to note that the above-mentioned unauthorized, as-built structures, along with the proposed new development on Erf 3133, form part of common residential components found on typical residential properties. With this being said, it can be assured that the **gravity** of the above-mentioned structures is considered negligible, as this does not, and will not have a greater visual impact than any other surrounding dwelling within the area, and that the unauthorized, as-built structures, along with the proposed new development on the application area, do and will seamlessly integrate with the existing residential context and enhance the **visual aesthetics** of the neighborhood.

4.4.3 Erf 3134, 29 Viljoen Street, Onrust River:

Erf 3134 is located directly to the North of the application area and comprises an existing dwelling that stands as one of the farthest properties in close **proximity** to the existing dwelling on Erf 3133, the application area. The distance between these two subject properties surpasses that of any of the immediate surrounding properties, primarily due to the current open courtyard space to the South of Erf 3134.

Erf 3134 is zoned as Residential Zone 1: Single Residential and is exclusively developed for residential uses. The unauthorized, as-built structures, along with the new proposed additions and alterations, as mentioned and highlighted throughout this Departure Application Document is also for residential purposes and adhere to the relevant provisions outlined in the Overstrand Municipality's Amended By-Laws on Municipal Land Use Planning, 2020. Consequently, the above-mentioned structures on the application area align seamlessly with the existing **zoning** and the prevailing **land-use** within the area.

The existing single-storey dwelling on Erf 3134 is located North of the application area and has fair mountain **views** towards the mountain in a Northern direction. The unauthorized, as-built structures, along with the proposed new development on Erf 3133, the application area, are situated to the South of Erf 3134 and therefore will not affect the existing mountain views and visual landscape for the property owners of the subject erf, Erf 3134.

The impact on **privacy** resulting from the unauthorized, as-built structures along with the proposed new development on Erf 3133 in relation to the subject erf, Erf 3134, is considered negligible. This conclusion is based on the current dense vegetation on Erf 3134.

As outlined throughout this Departure Application Document, an application is made for the relaxation of the 4.0m Municipal Street Building Line to accommodate a portion of the existing entrance stoep's footprint that extends beyond the subject building Line, the relaxation of the 2.0m Eastern Municipal Lateral Building Line to accommodate a portion of the existing dwelling's footprint that extends beyond the subject Building Line, and the relaxation of the 2.0m Municipal Rear Building Line to accommodate an outdoor braai and a staircase to access the new proposed first floor hobby room.

It is important to note that the above-mentioned unauthorized, as-built structures, along with the proposed new development on Erf 3133, form part of common residential components found on typical residential properties. With this being said, it can be assured that the **gravity** of the above-mentioned structures is considered negligible, as this does not, and will not have a greater visual impact than any other surrounding dwelling within the area, and that the unauthorized, as-built structures, along with the proposed new development on the application area, do and will seamlessly integrate with the existing residential context and enhance the **visual aesthetics** of the neighborhood.

4.4.4 Erf 3135, 27 Viljoen Street, Onrust River:

Erf 3135 is **located** North East of the application area and comprises an existing dwelling that stands as one of the farthest properties in close **proximity** to the existing dwelling on Erf 3133, the application area. The distance between these two subject properties surpasses that of any of the immediate surrounding properties, primarily due to the current open courtyard space to the South of Erf 3135 and the existing dwellings on Erf 3134 and Erf 3138.

Erf 3135 is zoned as Residential Zone 1: Single Residential and is exclusively developed for residential uses. The unauthorized, as-built structures, along with the new proposed additions and alterations, as mentioned and highlighted throughout this Departure Application Document is also for residential purposes and adhere to the relevant provisions outlined in the Overstrand Municipality's Amended By-Laws on Municipal Land Use Planning, 2020. Consequently, the above-mentioned structures on the application area align seamlessly with the existing **zoning** and the prevailing **land-use** within the area.

The existing single-storey dwelling on Erf 3135 is located North East of the application area and has fair mountain **views** towards the mountain in a Northern direction. The unauthorized, as-built structures, along with the proposed new development on Erf 3133, the application area, are situated to the South West of Erf 3135 and therefore will not affect the existing mountain views and visual landscape for the property owners of the subject erf, Erf 3135.

The impact on **privacy** resulting from the unauthorized, as-built structures along with the proposed new development on Erf 3133 in relation to the subject erf, Erf 3135, is considered negligible. This conclusion is based on the following two factors:

- the substantial distance between the subject two properties.
- The current dense vegetation on the two adjacent erven, Erf 3134 and Erf 3138.

As outlined throughout this Departure Application Document, an application is made for the relaxation of the 4.0m Municipal Street Building Line to accommodate a portion of the existing entrance stoep's footprint that extends beyond the subject building Line, the relaxation of the 2.0m Eastern Municipal Lateral Building Line to accommodate a portion of the existing dwelling's footprint that extends beyond the subject Building Line, and the relaxation of the 2.0m Municipal Rear Building Line to accommodate an outdoor braai and a staircase to access the new proposed first floor hobby room.

It is important to note that the above-mentioned unauthorized, as-built structures, along with the proposed new development on Erf 3133, form part of common residential components found on typical residential properties. With this being said, it can be assured that the **gravity** of the above-mentioned structures is considered negligible, as this does not, and will not have a greater visual impact than any other surrounding dwelling within the area, and that the unauthorized, as-built structures, along with the proposed new development on the application area, do and will seamlessly integrate with the existing residential context and enhance the **visual aesthetics** of the neighborhood.

4.4.5 Erf 3138, 28 Dempers Street, Onrust River:

Erf 3138 is **located** directly to the East of the Application area and comprises an existing dwelling that stands as one of the closest properties in **proximity** to the existing dwelling on Erf 3133, the application area. The proximity of the existing dwelling on Erf 3138 surpasses that of any of the immediate surrounding properties.

Erf 3138 is zoned as Residential Zone 1: Single Residential and is exclusively developed for residential uses. The unauthorized, as-built structures, along with the new proposed additions and alterations, as mentioned and highlighted throughout this Departure Application Document is also for residential purposes and adhere to the relevant provisions outlined in the Overstrand Municipality's Amended By-Laws on Municipal Land Use Planning, 2020. Consequently, the above-mentioned structures on the application area align seamlessly with the existing **zoning** and the prevailing **land-use** within the area.

The existing single-storey dwelling on Erf 3138 is located East of the application area and has fair mountain **views** towards the mountain in a Northern direction. The unauthorized, as-built structures, along with the proposed new development on Erf 3133, the application area, are situated to the West of Erf 3138 and therefore will not affect the existing mountain views and visual landscape for the property owners of the subject erf, Erf 3138.

The impact on **privacy** resulting from the unauthorized, as-built structures, along with the proposed new development on Erf 3133 in relation to the subject erf, Erf 3138, is considered negligible. This conclusion is based on the following two factors:

- the relatively high existing boundary wall separating the subject two erven,
- the layout of the existing dwelling on Erf 3133, the application area, ensures that it lives out towards the West of the property ensuring privacy for the owners of the subject erf, Erf 3138.

As outlined throughout this Departure Application Document, an application is made for the relaxation of the 4.0m Municipal Street Building Line to accommodate a portion of the existing entrance stoep's footprint that extends beyond the subject building Line, the relaxation of the 2.0m Eastern Municipal Lateral Building Line to accommodate a portion of the existing dwelling's footprint that extends beyond the subject Building Line, and the relaxation of the 2.0m Municipal Rear Building Line to accommodate an outdoor braai and a staircase to access the new proposed first floor hobby room.

It is important to note that the above-mentioned unauthorized, as-built structures, along with the proposed new development on Erf 3133, form part of common residential components found on typical residential properties. With this being said, it can be assured that the **gravity** of the above-mentioned structures is considered negligible, as this does not, and will not have a greater visual impact than any other surrounding dwelling within the area, and that the unauthorized, as-built structures, along with the proposed new development on the application area, do and will seamlessly integrate with the existing residential context and enhance the **visual aesthetics** of the neighborhood.

4.4.6 Erf 2528, 29 Dempers Street, Onrust River:

Erf 2528 is located directly to the South of the application area, across Dempers Street and comprises an existing dwelling that stands as one of the farthest properties in close **proximity** to the existing dwelling on Erf 3133, the application area. The distance between these two subject properties surpasses that of any of the immediate surrounding properties, primarily due to Dempers Street separating the subject two erven.

Erf 2528 is zoned as Residential Zone 1: Single Residential and is exclusively developed for residential uses. The unauthorized, as-built structures, along with the new proposed additions and alterations, as mentioned and highlighted throughout this Departure Application Document is also for residential purposes and adhere to the relevant provisions outlined in the Overstrand Municipality's Amended By-Laws on Municipal Land Use Planning, 2020. Consequently, the above-mentioned structures on the application area align seamlessly with the existing **zoning** and the prevailing **land-use** within the area.

The existing single-storey dwelling on Erf 2528 is located South of the application area and enjoys partial to fair mountain **views** towards the mountain in a Northern direction. This orientation is due to the natural topography of the area, which has a very slight gradient from North to South. As a result of the above-mentioned slight gradient, properties located to the front of the application area have the opportunity to offer views of the mountain looking up through open spaces, or from the first floor. With this being said, the impact that the unauthorized, as-built structures, along with the new proposed development on the application area have, and will have on the property owners of the subject erf, Erf 2528 is deemed negligible.

The impact on **privacy** resulting from the unauthorized, as-built structures, along with the proposed new development on Erf 3133 in relation to the subject erf, Erf 2528, is considered negligible. This conclusion is based on the following three factors:

- the current layout of the existing dwelling on Erf 2528 ensures that it lives out towards the South of the erf,
- the current dense vegetation along the Street boundary of Erf 2528 ensures privacy for the owners of the subject erf,
- the two erven are separated by Dempers Street, which runs through them.

As outlined throughout this Departure Application Document, an application is made for the relaxation of the 4.0m Municipal Street Building Line to accommodate a portion of the existing entrance stoep's footprint that extends beyond the subject building Line, the relaxation of the 2.0m Eastern Municipal Lateral Building Line to accommodate a portion of the existing dwelling's footprint that extends beyond the subject Building Line, and the relaxation of the 2.0m Municipal Rear Building Line to accommodate an outdoor braai and a staircase to access the new proposed first floor hobby room.

It is important to note that the above-mentioned unauthorized, as-built structures, along with the proposed new development on Erf 3133, form part of common residential components found on typical residential properties. With this being said, it can be assured that the **gravity** of the above-mentioned structures is considered negligible, as this does not, and will not have a greater visual impact than any other surrounding dwelling within the area, and that the unauthorized, as-built structures, along with the proposed new development on the application area, do and will seamlessly integrate with the existing residential context and enhance the **visual aesthetics** of the neighborhood.

4.4.7 Erf 2529, 31 Dempers Street, Onrust River:

Erf 2528 is located to the South West of the application area, across Dempers Street and comprises an existing dwelling that stands as one of the farthest properties in close **proximity** to the existing dwelling on Erf 3133, the application area. The distance between these two subject properties surpasses that of any of the immediate surrounding properties, primarily due to Dempers Street separating the subject two erven.

Erf 2529 is zoned as Residential Zone 1: Single Residential and is exclusively developed for residential uses. The unauthorized, as-built structures, along with the new proposed additions and alterations, as mentioned and highlighted throughout this Departure Application Document is also for residential purposes and adhere to the relevant provisions outlined in the Overstrand Municipality's Amended By-Laws on Municipal Land Use Planning, 2020. Consequently, the above-mentioned structures on the application area align seamlessly with the existing **zoning** and the prevailing **land-use** within the area.

The existing single-storey dwelling on Erf 2529 is located South West of the application area and has fair mountain **views** towards the mountain in a Northern direction. The unauthorized, as-built structures, along with the proposed new development on Erf 3133, the application area, are situated to the North East of Erf 2529 and therefore will not affect the existing mountain views and visual landscape for the property owners of the subject erf, Erf 2529.

The impact on **privacy** resulting from the unauthorized, as-built structures, along with the proposed new development on Erf 3133 in relation to the subject erf, Erf 2529, is considered negligible. This conclusion is based on the following two factors:

- the current layout of the existing dwelling on Erf 2529 ensures that it lives out towards the South of the erf.
- the two erven are separated by Dempers Street, which runs through them.

As outlined throughout this Departure Application Document, an application is made for the relaxation of the 4.0m Municipal Street Building Line to accommodate a portion of the existing entrance stoep's footprint that extends beyond the subject building Line, the relaxation of the 2.0m Eastern Municipal Lateral Building Line to accommodate a portion of the existing dwelling's footprint that extends beyond the subject Building Line, and the relaxation of the 2.0m Municipal Rear Building Line to accommodate an outdoor braai and a staircase to access the new proposed first floor hobby room.

It is important to note that the above-mentioned unauthorized, as-built structures, along with the proposed new development on Erf 3133, form part of common residential components found on typical residential properties. With this being said, it can be assured that the **gravity** of the above-mentioned structures is considered negligible, as this does not, and will not have a greater visual impact than any other surrounding dwelling within the area, and that the unauthorized, as-built structures, along with the proposed new development on the application area, do and will seamlessly integrate with the existing residential context and enhance the **visual aesthetics** of the neighborhood.

4.5 IMPACT OF THE UNAUTHORISED, AS-BUILT STRUCTURES ALONG WITH THE NEW PROPOSED DEVELOPMENT:

4.5.1 Economic impact:

The Overstrand Municipality's Land Zoning Scheme Regulations govern structures and the uses thereof on properties. The unauthorized, as-built structures, along with the proposed new development on the application area, as highlighted throughout this Departure Application Document, form part of common residential components one would find on any typical residential erf. With this being said, the unauthorized, as-built structures, along with the proposed new development on Erf 3133 add value to the property on the application area as well as the area in which it is located.

4.5.2 Social impact:

The unauthorized, as-built structures, along with the proposed new development on Erf 3133 will have no impact on the social status of the area in which the application area is located, as no negative impact on the social wellbeing of the surrounding properties was anticipated. As mentioned elsewhere in the Departure Application Document, the above-mentioned structures are compatible with the character of the area and do not negatively impact the rights of any of the adjacent properties in the area.

4.5.3 Compatibility with surrounding land uses:

The application area is situated in an existing low-density residential area. The Departure Application does not pose to change the current zoning or the current land use of the application area, and therefore the current land use is compatible with the surrounding land uses.

As mentioned above, the surrounding properties are developed with single and double storey dwellings and the use of the surrounding properties is for permanent residences and holiday houses.

The scale of the existing dwelling, the scale of the unauthorized, as-built structures, and the scale of the proposed new development on the application area merge well with the scale of the surrounding dwelling in the immediate area.

4.5.4 Impact on Municipal Engineering services:

All services on the application area already exist.

The unauthorized, as-built structures, along with the proposed new development on the application area have no negative impact on the usage of the existing available municipal services, such as electricity, water, or sewerage, since no additional loading of the existing municipal services is needed.

4.5.5 Impact on health, safety and the wellbeing on the surrounding community:

The unauthorized, as-built structures, along with the proposed new development on the application area have no impact on the general safety and wellbeing of the surrounding community.

4.5.6 Impact on heritage and heritage value:

Erf 3133, the application area, is not situated within the Heritage Overlay Zone as determined by the Overstrand Municipality's Heritage Overlay Zone, has no grading, and has no heritage value.

4.5.7 Impact on traffic, parking and access:

Access to the existing garage and carport established on the application area will remain unchanged.

The land use of the property will remain the same and therefore the impact on the traffic flow and parking in the area will remain unchanged.

5 PLANNING PRINCIPLES

Policies, principles, planning, development norms, and criteria as set out in Section 42 of the Spatial Planning and Land Use management Act (SPLUMA) and Chapter VI of the Land Use Planning Act (LUPA) were regarded and the proposed Departure Application is in compliance with this. The principles are defined and recorded below:

5.1.1 Spatial justice:

Spatial justice refers to the need to redress the past apartheid spatial development imbalances and aim for equity in the provision of access to opportunities, facilities, services, and land. In the broadest sense, it seeks to promote the integration of communities and the creation of settlements that allow the poorest of the poor to access opportunities.

The primary objective of this application is to enable the owner of Erf 3133, the application area, to legalize and rectify the unauthorized, as-built structures and the proposed new additions and alterations to the application area. With this being said, it is important to note that it is not predicted that the unauthorized, as-built structures along with the proposed new development on the application area is set to influence past spatial injustices.

5.1.2 **Spatial sustainability**

Spatial sustainability refers to a sustainable form of development. This means promoting less resource consuming development typologies that promote compaction, pedestrianization and mixed-use urban environments which allow for the development of a functional public transport system and space economy.

The proposed Departure Application intends to ensure that the property on the application area is utilized to its maximum capabilities.

5.1.3 **Efficiency**

Efficiency refers to the need to create settlements that optimize the use of space, energy, infrastructure, resources, and land.

The proposed Departure Application, as mentioned above, is intended to logically maximize the use of space of the subject property within a developed residential area.

5.1.4 **Spatial resilience**

Spatial resilience in the context of land use planning refers to the need to promote the development of sustainable livelihoods for the poor (i.e. communities that are more likely to suffer the impacts of economic and environmental shocks). Spatial resilience also refers to the requirement for flexibility in spatial plans, policies, and land use management systems to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks. The spatial plans, policies and land use management systems should enable the communities to be able to resist, absorb and accommodate these shocks and to recover from these shocks in a timely and efficient manner, which includes the preservation and restoration of essential basic infrastructure and functions, but also adaption in order to ensure increased resilience in terms of future shocks.

With the above being said, we are of the opinion that the principle of Spatial Resilience is not applicable to this Departure Application.

5.1.5 **Good administration**

Good administration in the context of land use planning refers to the promotion of integrated, consultative planning practices in which all spheres of government and other role-players ensure a joint planning approach is pursued. Furthermore, it is critical that decisions made in terms of land use planning seek to minimize the negative financial, social, economic, and environmental impacts of a development. Furthermore, good administration in the context of land use planning, refers to a system which is efficient, well run, and where the timeframe requirements are adhered to.

Engelbrecht & Scorgie Architectural Office:

Our Company is committed to the principle of good administration and will cooperate with the Overstrand Municipality to ensure a time efficient, uncomplicated land use planning process. The Departure Application will follow due process as stipulated in the relevant Municipal By-Laws and related provincial and national land use planning legislation. All measures will be taken to ensure and efficient and streamlines process within the applicable timeframes as stipulated by the Overstrand Municipality's By-Laws on Municipal Land Use Planning, 2020.

Overstrand Municipality:

The Overstrand Municipality has a credible track record of good administration regarding the method of public participation, as this forms an integral part of the land use planning process. This process provides people who may be affected by the proposal with an opportunity to provide their comments and to raise any possible issues of concern about the proposal or make possible suggestions that may result in an enhanced outcome of which both the affected parties will benefit from as these comments will be reviewed and considered after which it will be addressed accordingly.

6 FORWARD PLANNING

The Overstrand Spatial Development Framework, 2020, earmarks the area where Erf 3133, the application area, is situated, for urban development purposes. The unauthorized, as-built structures, along with the proposed new structures for which the Departure Application is required, form part of any typical residential component and the Overstrand Municipality's Zoning Scheme Regulations make provision for departure procedures to incorporate structures within the building line zones.

The character and zoning of the application area will remain unchanged and therefore the property falls within the existing planning of the Onrust River area.

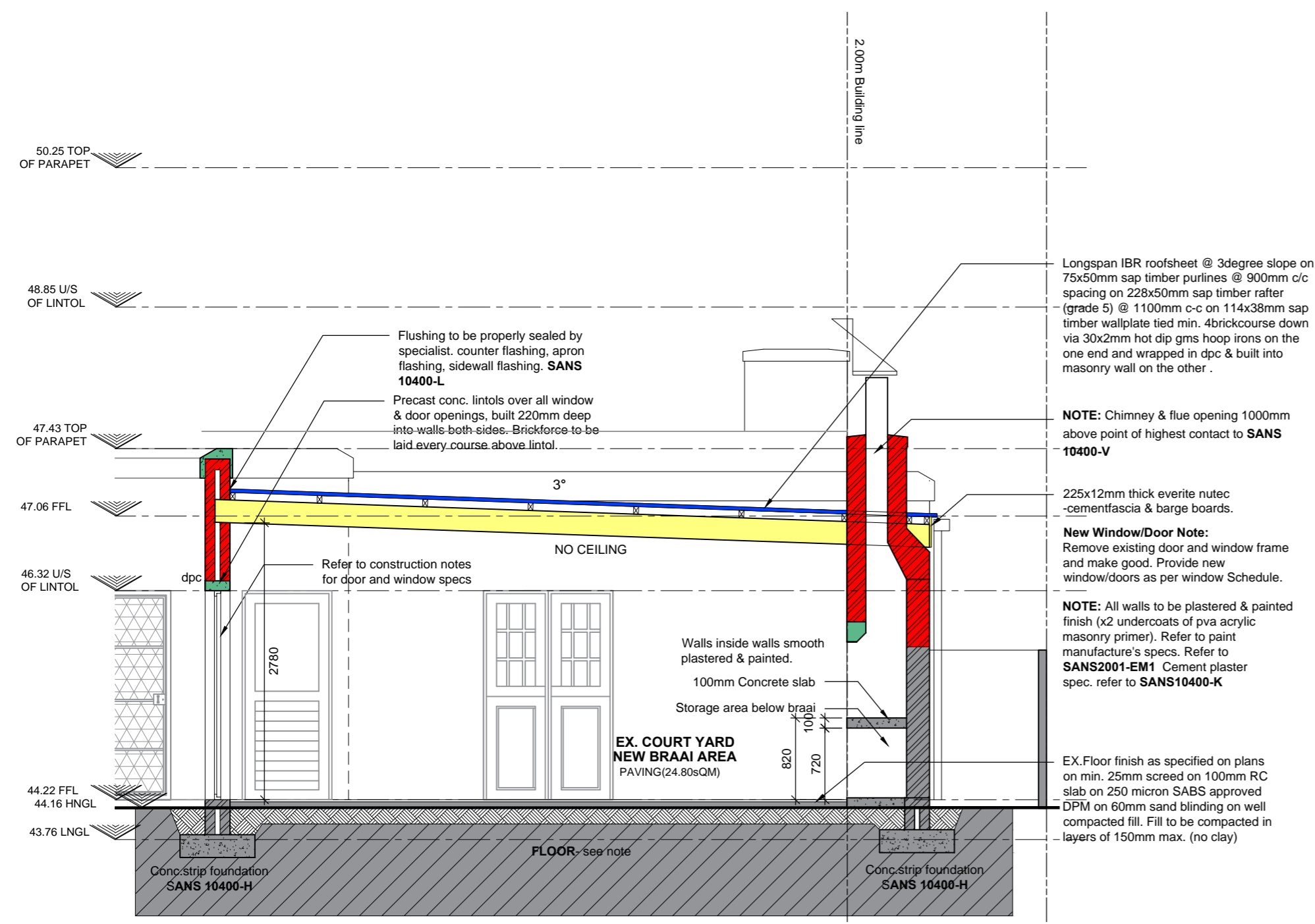
With the above being said, it is therefore recommended that the application be approved in terms of the Overstrand Municipality's Amended By-Lay on Municipal Land Use Planning, 2020.

Your sincerely



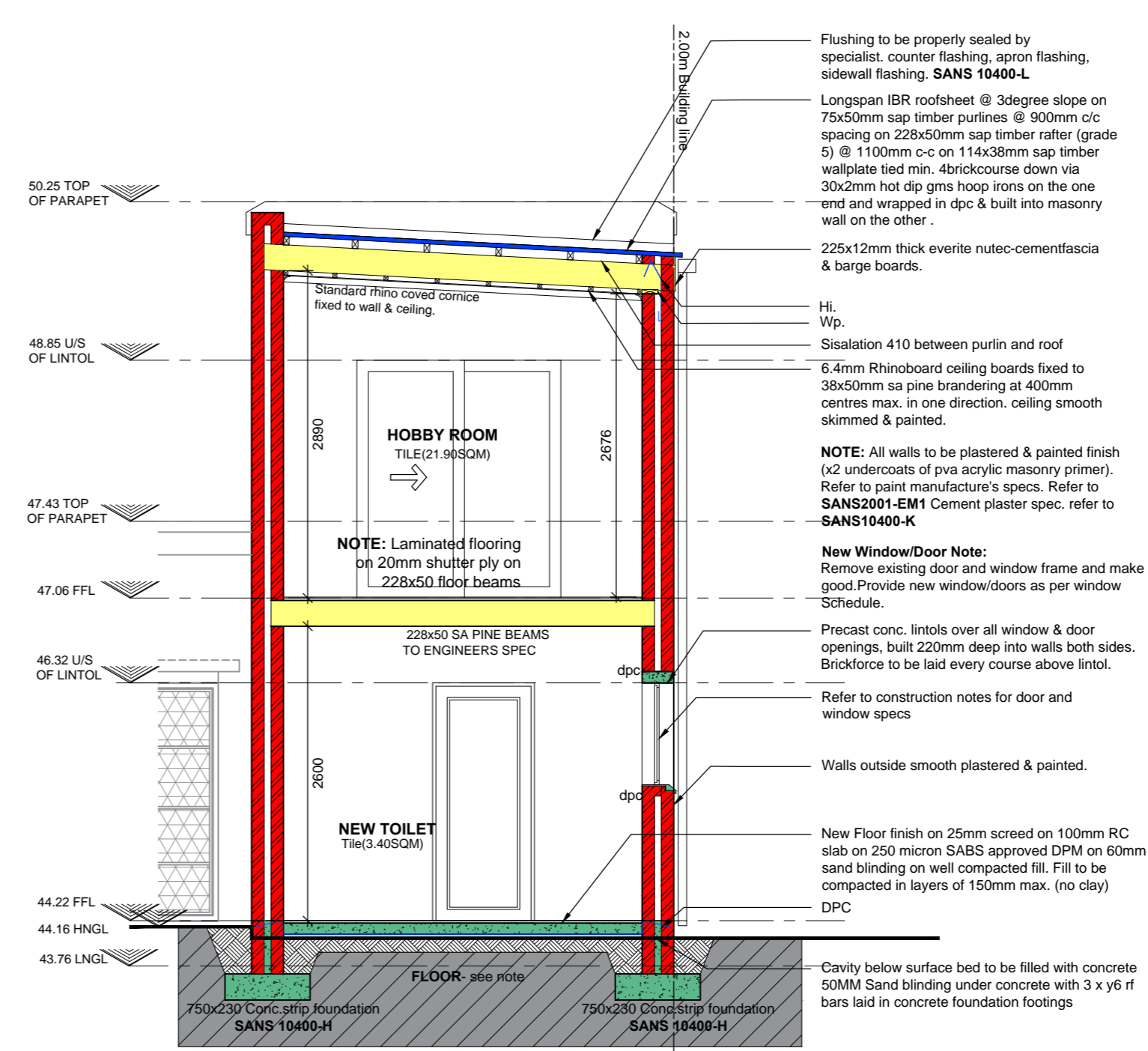
BRANDON SCORGIE

for Engelbrecht & Scorgie Architectural Office.



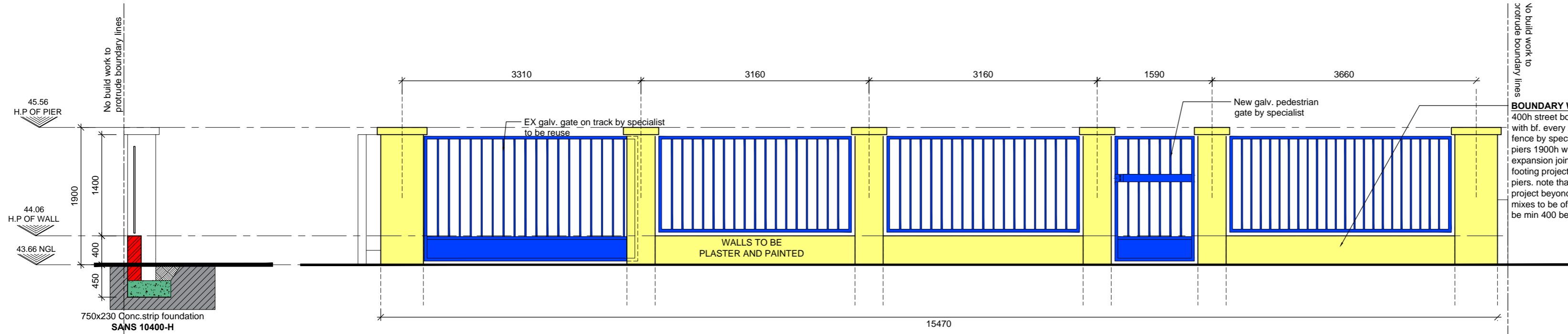
SECTION A-A

SCALE 1:100



SECTION B-B

SCALE 1:100

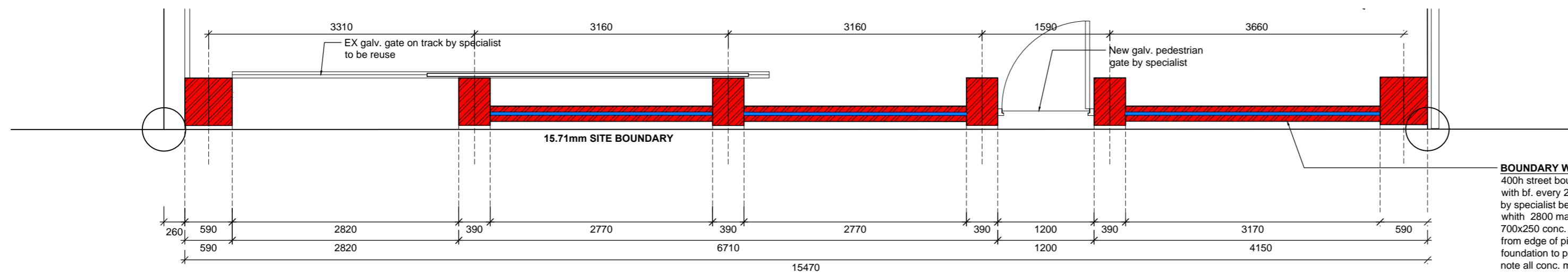


DEMPERS STR. BOUNDARY WALL SECTION

SCALE 1:50

DEMPERS STR. BOUNDARY WALL ELEVATION

SCALE 1:50



DEMPERS STR. BOUNDARY WALL PLAN

SCALE 1:50

No build work to protrude boundary lines

BOUNDARY WALL TO SANS 10400-K
400h street boundary wall of 230 maxi bricks with bf. every 2nd layer with galv. palisade fence by specialist between 590x390 brick piers 1900h with 2770 max. c/c and expansion joints on 700x250 conc. strip footing projecting min 200 from edge of piers. note that no wall or foundation to project beyond site boundary note all conc. mixes to be of 15mpa mass conc. footing to be min 400 below NGL

- GENERAL**
- 1.) All building, electrical, and drainage work to be in strict accordance with **SABS 10400 standards** or meet the **national building regulations**. (all building materials to be S.A.B.S. approved)
 - 2.) All dimensions and levels to be checked on site before commencement of any construction.
 - 3.) All openings less than 3000mm to have P.C ide stresso lintols over and min. of four courses of brick force laid above lintols to manufacturers specifications.
 - 4.) All structural timber to be v4/5 S.A. pine or SABS approved, otherwise as required by council authorities
 - 5.) All DPM's (375micron) to be stepped with weep holes at 1200 cts. positioned min.150 above paving or natural ground level.
 - 6.) Excavate to a depth to provide a solid and uniform foundation to all footings. No concrete footing to project beyond any site boundary.
 - 7.) All external openings to have vertical DPC's all round
 - 8.) All safety glazing to be as per SABS 10400 PART N regulation
 - 9.) Light areas are min. 10% of floor area as per NBR requirements
 - 10.) Ventilation areas are min. 5% of floor areas as per NBR requirements
 - 11.) All external walls to be Plaster & painted (x2 coat undercoat pva) or equally approved by owner / builder
 - 12.) All internal walls to be plastered & painted (or equally approved by owner/builder)
 - 13.) All windows and doors as per schedule.

- ALL NEW WORK SHALL COMPLY WITH THE LATEST VERSIONS OF SANS 10400:**
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 - Part C: Dimensions
 - Part D: Public Safety
 - Part E: Site operations
 - Part F: Foundations
 - Part G: Floors
 - Part H: Walls
 - Part I: Roofs
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 - Part L: Lighting and Ventilation
 - Part M: Drainage
 - Part N: Stormwater Disposal
 - Part O: Fire Protection
 - Part P: Space Heating
 - Part Q: Fire Installation
 - Part R: Energy Efficiency

WHICH ARE APPLICABLE TO THE WORK SPECIFIED.
Contractor shall be responsible for ascertaining the "deemed to satisfy" requirements of **SANS 10400** as described and listed. contractor must ensure that all these requirements are complied with as work proceeds.



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CHECKED BY: Brandon Scorgie

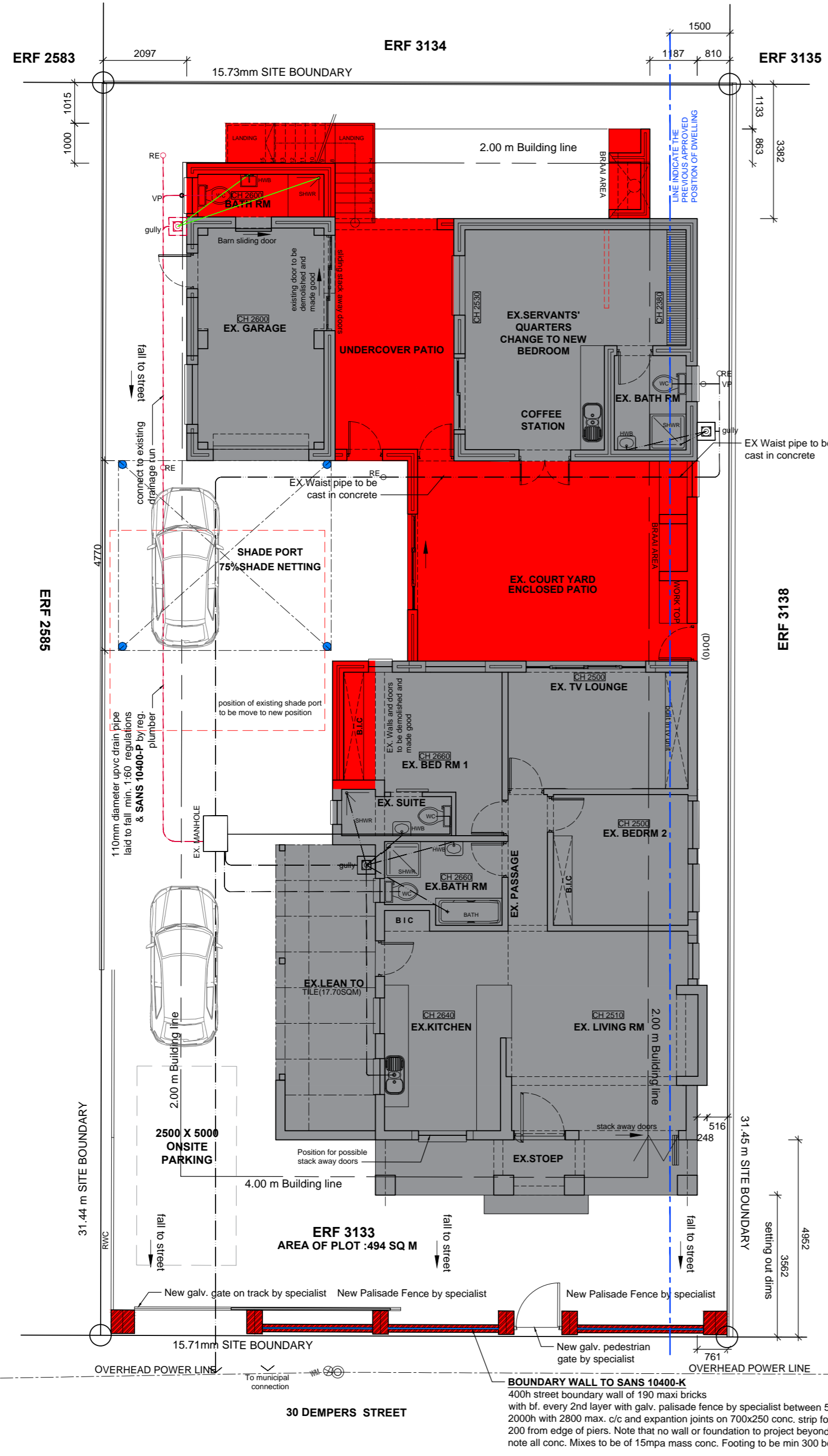
PROJECT DESCRIPTION: **Proposed new additions and Alterations**

PAGE CONTENT: **SECTIONS & DETAILS**

CLIENT: **M & A FOURIE**
ADDRESS: **30 DEMPERS STREET ONRUSRIEVER**
ERF: **3133**
DRAWING No.: **3133_CS_01**

PROJECT NUMBER: **J1262** SCALE: **1:10 / 1:50 / 1:100** PAGE SIZE: **A2**

DATE: **6 JUNE, 2024** PAGE No.: **04** REV: **C**



SITE PLAN SCALE 1:100

- NOTE:**
All final measurements to be taken on site, before construction
- NOTE:**
All balustrades to have openings not less than 100mm diameter and shall comply with the minimum requirements of **SANS 10400, Part M**
- NOTE:**
No combustible material to be closer than 200mm from chimney flues
- NOTE:**
Flashing and counter flashing as per specialist. All head wall and side wall flashing purpose made by specialist.
- NOTE:**
Drainage to have min invert level 450mm
Vent valve @ highest point
Overflow gully @ lowest point
- NOTE:**
Boundary walls to comply with **SANS 10400: PART K - WALLS**
- NOTE: RAINWATER GOODS**
100mm PVC Gutters fixed to 220x12mm fibre cement fascia with 75diameter pvc downpipes discharging into storm water system.
NOTE: All rainwater to be directed away from buildings. All to **SANS 10400 - R**
NOTE: (SABS 021: Waterproofing of buildings)

GENERAL NOTE

All measurements to be checked on site. Any discrepancies to be brought under the attention of the Draughtsman. Given dimensions take preference above scaled dimensions.
NOTES boundary pegs : to be pointed out to building inspector before construction commences.

FOUNDATION CONSTRUCTION

Foundation mass concrete in-situ 1:4:5 normal mix having a compressive strength of 15MPa at 28days, for loadbearing walls to be filled with concrete up to floor level.
50mm sand blinding under concrete with 3 X Y6 RF bars laid in concrete foundation footings.
MINIMUM REQUIREMENTS
LOAD BEARING WALLS =MIN.230(H) X 750(W)MM
NON LOADBEARING WALLS =230(H) X 750(W)MM
Note: No concrete footing beyond any site boundary
Note: 15MPa mass concrete mix
Note: **SANS 10400- H**

Foundation walls higher than 1 meter to be 340mm thick.
Foundation walls higher than 1.5 meter to be in accordance with engineers specs if applicable
Concrete strip foundation to be laid in solid and uniform trench and must comply with **SANS 10400-B ANS SANS 1044-H**

FLOOR SLAB CONSTRUCTION

25mm Screed on 100mm mass concrete slab surface bed on 193 weld mesh reinforcement on (375micron) DPM on 50mm sand layer on 150mm layers of well compacted hard-core fill. Floor finish as per floor plan or equally approved.
Note: 15 MPA mass concrete mix
Note: **SANS 10400: PART J**

WALLS CONSTRUCTION

All wall constructed and brick to comply with **SANS 10400 PART K,PART B & PART T**, All structural work to conform with **NHBCR** regulations.
230/280mm walls: To be constructed with 110brick internal and 230/280 brick external. (unless otherwise annotated) tied with butterfly gms wire ties at a rate 5 wire ties/sqm of wall face to exterior of building. Brickforce to every 3rd course of brickwork. walls to be plastered & painted. Walls tied back to roof structure with gms roof straps at 650mm c/c, embedded minimum 300mm into wall, bent over & fixed to rafters. All as per **NBR & SANS 10400 PART K**.
(X2 Undercoat PVA)
Brickforce to be 3.15mm thick, above lintols to be laid every course.
NOTE: All expansion joints to be injected with an industrial siliconesealer.
NOTE: 15. MPA Concrete mix
NOTE: **SANS 10400 : PART K**

CEILING CONSTRUCTION

6.4 Skimmed Gyptone ceilings on 38x38mm SAP brandering 400cts. fixed to underside of trusses, rafters with coved cornices (75mm) fitted according to manufacturers specifications. Flexit waterproof ceiling fixed @ all external areas including eaves where applicable. All ceiling materials to be SABS approved

TILING REQUIREMENTS

Min. 300mm ceramic tile splash backs to basins & sinks. shower tiled from floor to ceiling. all tiles to be ceramic \ terracotta finish where applicable and indicated by builder/owner all tiling materials to be s.a.b.s approved and laid to manufacturer specs.

DRAINAGE

All waste fittings to have deep seal traps
All waste fittings to have 40diameter pvc waste pipes
All waste pipes to enter separately into soil and vent stack
All sewer pipes to be 110diameter pvc at min. 1:60 fall
All pan-collar fittings to be sealed with "bee-wax" preservative
All sewer pipes running beneath conc. slabs or footings to be encased in 200mm concrete sleeve all round hot & cold water supply to basin, baths, showers and kitchen sink.
Note: All drainage material/fittings to be SABS approved
Note: **SANS 10400 : PART P** regulation

DOOR & WINDOW SCHEDULE :

Glazing to doors and windows in excess of 1sqm or less than 500mm above FFL to be safety glazed in accordance with **SANS 10400-PART N**. All glazing to be 6mm clear glass \ bathroom windows to be obscure glass. All ironmongery as per builders Choice or equally approved. (union spec.)

ROOF CONSTRUCTION - 3° PITCH

Longspan IBR roof sheets on sisalation: All roofs to comply with **PART L** Of **NBR**. Roofs must be tied down to walls with galvanized hoop iron embedded 600mm into walls. All end of rafters to be wrapped in damp proof courses. Nutec fascias and bargeboards to be installed all round. Bargeboards to be of same manf. and standard as roof sheets with **SANS 10400- L SANS -204**

WATERPROOFING

All waterproofing specifications to be overseen and approved by specialist contractor

VENTILATION & LIGHTS

min10% of the floor area to be light area, and 5% to be natural ventilation area.
SANS 10400 PART O.

PAREPET WALL

Un-reinforced parapets must be maximum 300mm above roof. Flushing to all walls where necessary.

DAMP-PROVE COURSE

Any material used as a damp-prove course shall comply with the relevant requirements contained in **SANS 248,SANS 298 OR SANS 952-1** or shall be the subject of an agreement certificate if the product is not covered by these standards.

In case of any cavity walls the damp proof course shall extend the full thickness of such leaf, in which the cavity shall extend 150mm below the damp proof course. All walls finishes shall comply with the requirements of 4.15 of **SANS 10400-T**

BRAAI CHIMNEY

It shall be designed and erected from non combustible materials and in such a manner that will not cause fire hazard to the adjacent materials. It shall not be installed in shaft or duct in which services which might be adversely affected by the heat are situated. Combustible materials shall not be built within 200mm of the inside of the chimney. Chimney openings must be at least 1meter above the nearest roof line
NOTE: SANS 10400 - V-2010

LINTELS

Shall be provided above all windows and doors openings in accordance with the requirements of 4.2.9 of **SANS10400-K**.
Precast lintels over doors and windows openings must be build in as per specification of the manufacture with a min. overlap of 250mm both sides
Reinforced brick lintols:
openings to 1000mm - 1 course reinforcing
opening 1000-2000mm - 2 course reinforcing
opening 2100-3000mm - 4 course reinforcing
opening 3100-3900mm - 5 course reinforcing
opening 3900-5100mm - 6 course reinforcing

Cavity walls must be anchor with 2.5 wire wall ties per sq. meter

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CK2003/026839/23

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CHECKED BY: Brandon Scorgie

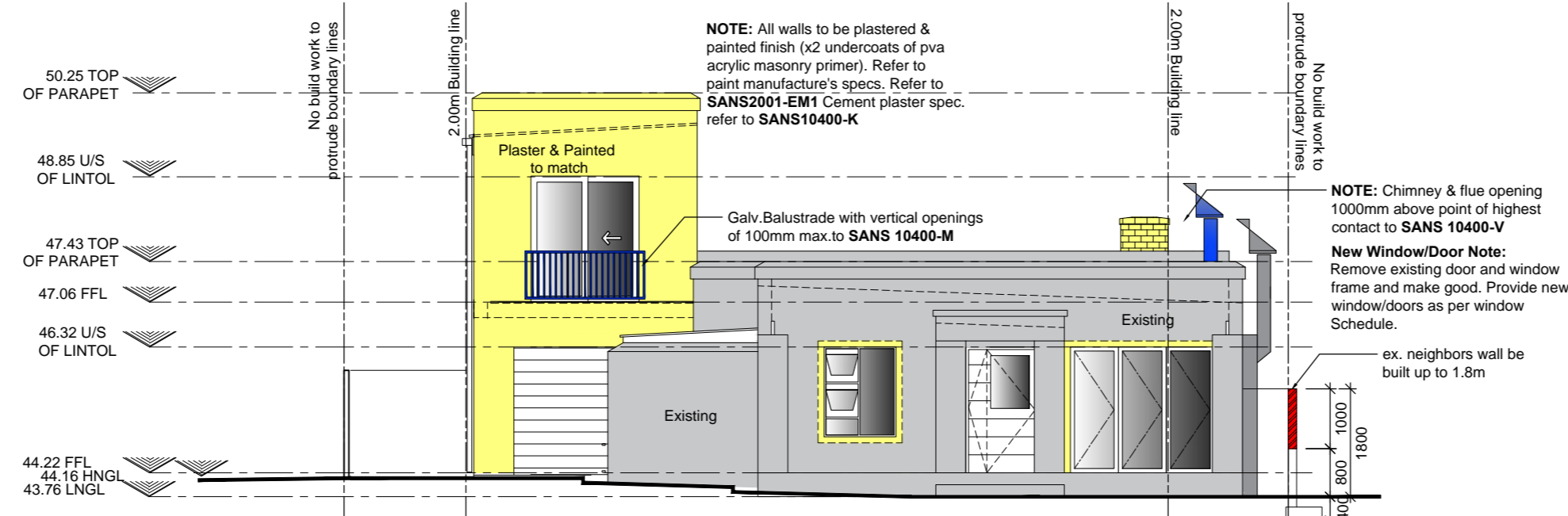
PROJECT DESCRIPTION: **Proposed new additions and Alterations**

PAGE CONTENT: **SITE PLAN**

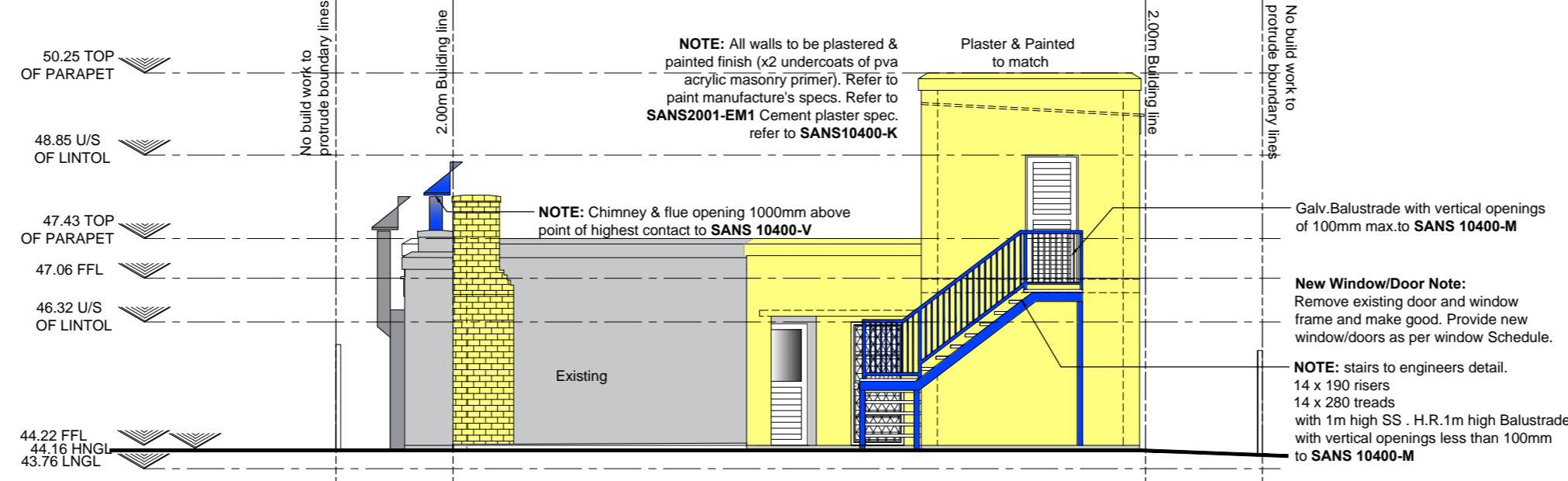
CLIENT: **M & A FOURIE**
ADDRESS: **30 DEMPERS STREET ONRUSRIEVER**
ERF: **3133**
DRAWING No.: **3133_skp_01**

PROJECT NUMBER: **J1262** SCALE: **1:10 / 1:50 / 1:100** PAGE SIZE: **A2**

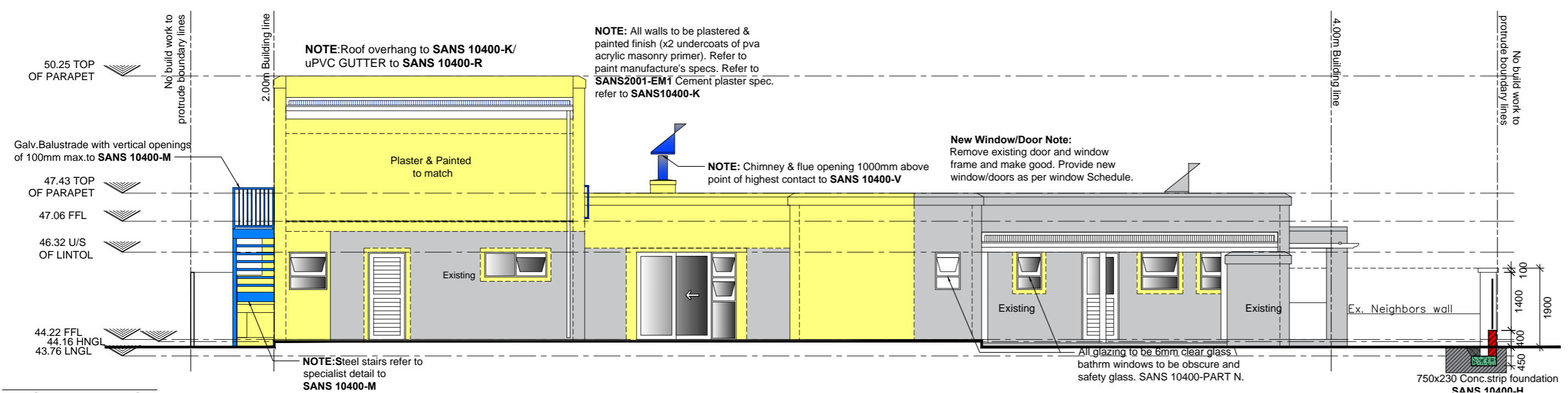
DATE: **6 June, 2024** PAGE No.: **01** REV: **C**



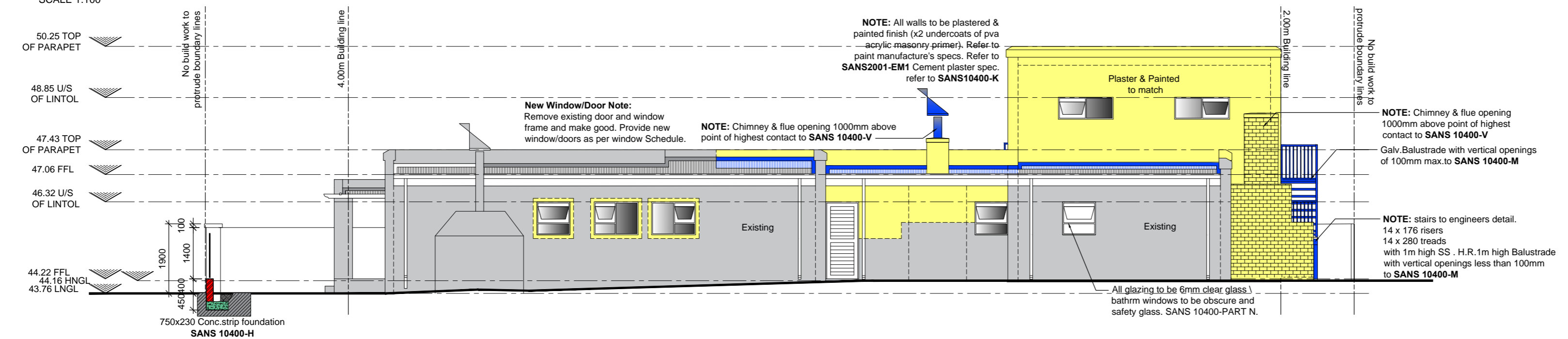
SOUTH ELEVATION
SCALE 1:100



NORTH ELEVATION
SCALE 1:100



WEST ELEVATION
SCALE 1:100



EAST ELEVATION
SCALE 1:100

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PROJECT DESCRIPTION: **Proposed new additions and Alterations**

PAGE CONTENT: **ELEVATIONS**

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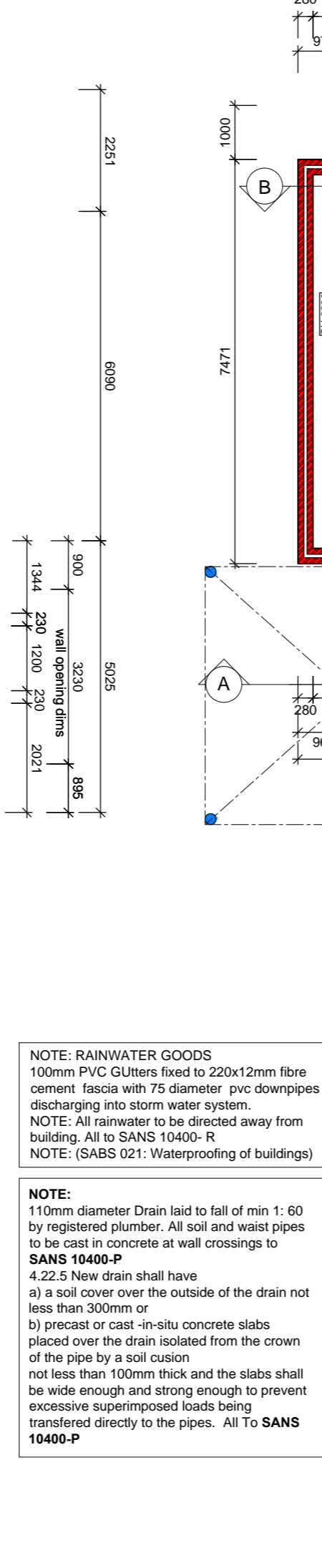
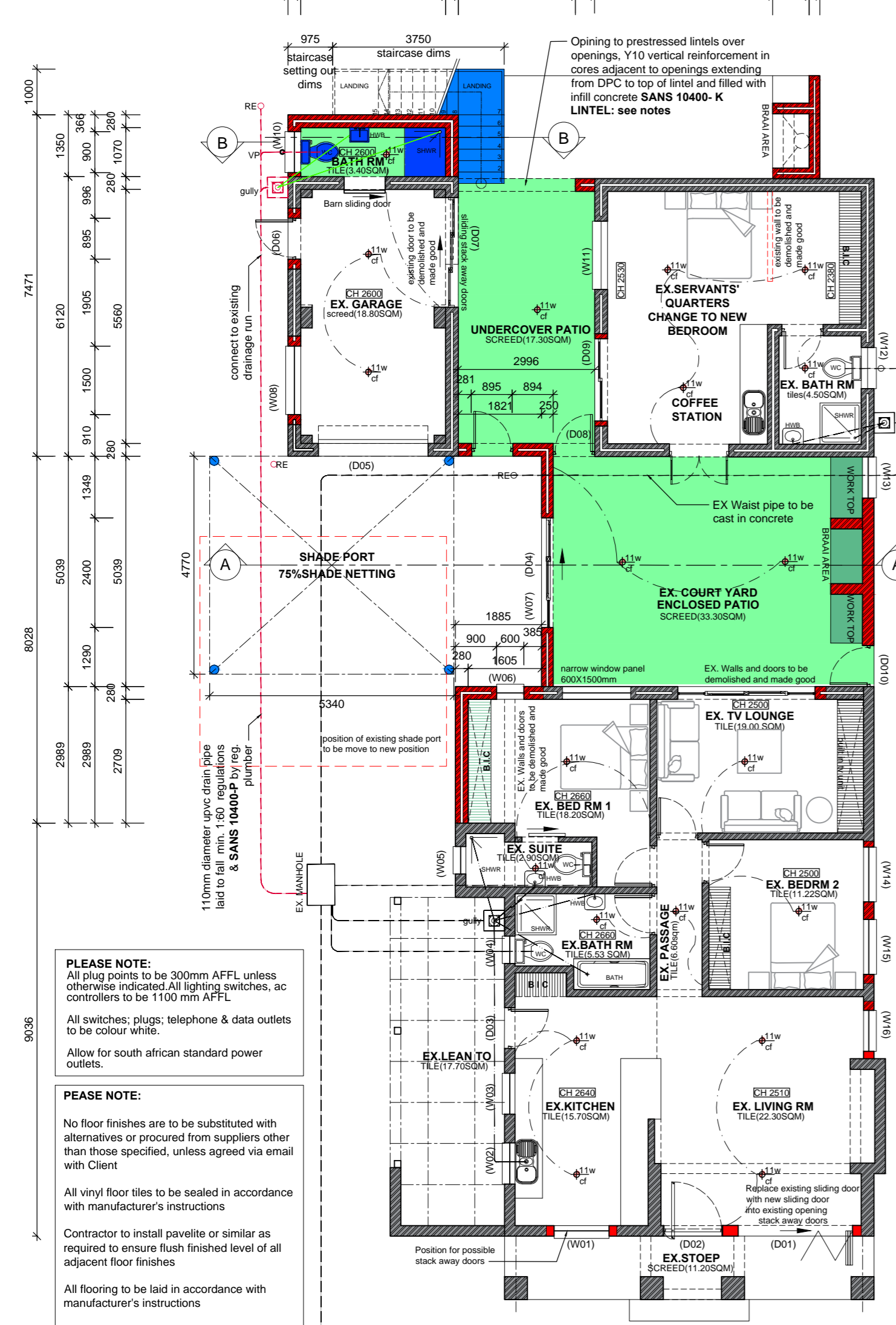
PROJECT NUMBER: **J1262** SCALE: **1:10 / 1:50 / 1:100** PAGE SIZE: **A2**

DATE: **06 June, 2024** PAGE No.: **03** REV: **C**

NOTE: Stairs to engineers detail.

NOTE: STAIRS
 13x 250mm treads
 15x 190mm risers to SANS 10400-M
 2x 1000 x 1000MM treads

Galv Balustrade with vertical openings of 100mm max.to SANS 10400-M



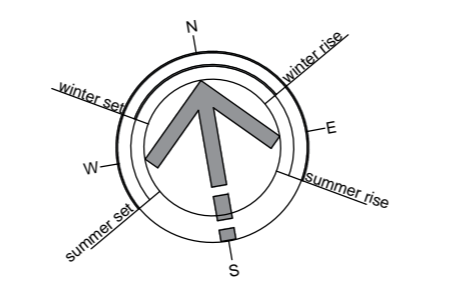
PLEASE NOTE:
 All plug points to be 300mm AFFL unless otherwise indicated. All lighting switches, ac controllers to be 1100 mm AFFL
 All switches: plugs; telephone & data outlets to be colour white.
 Allow for south african standard power outlets.

PEASE NOTE:
 No floor finishes are to be substituted with alternatives or procured from suppliers other than those specified, unless agreed via email with Client
 All vinyl floor tiles to be sealed in accordance with manufacturer's instructions
 Contractor to install pavelite or similar as required to ensure flush finished level of all adjacent floor finishes
 All flooring to be laid in accordance with manufacturer's instructions
 All floor finishes at door junction to continue to the centre line of the door, unless otherwise noted.

All services ,ducts and/or sleeves(plumbing, electrical, air conditioning, water supply, pool heating) may not be visible and must be concealed in the walls or ducts

NOTE: RAINWATER GOODS
 100mm PVC Gutters fixed to 220x12mm fibre cement fascia with 75 diameter pvc downpipes discharging into storm water system.
 NOTE: All rainwater to be directed away from building. All to SANS 10400- R
 NOTE: (SABS 021: Waterproofing of buildings)

NOTE:
 110mm diameter Drain laid to fall of min 1: 60 by registered plumber. All soil and waist pipes to be cast in concrete at wall crossings to SANS 10400-P
 4.22.5 New drain shall have
 a) a soil cover over the outside of the drain not less than 300mm or
 b) precast or cast-in-situ concrete slabs placed over the drain isolated from the crown of the pipe by a soil cushion not less than 100mm thick and the slabs shall be wide enough and strong enough to prevent excessive superimposed loads being transferred directly to the pipes. All To SANS 10400-P



AREA		
ERF.		494 sqm
50% COVERAGE	=	247 sqm
EXT. DWELLING:		99.50 sqm
EXT. OUTER DWELLING:		35.50 sqm
EXT. GARAGE:		22.70 sqm
EXT. LEAN TO:		17.70 sqm
EXT. STOEPE:		3.00 sqm
TOTAL EXISTING		178.40sqm
NEW ADDITION:		3.90sqm
ENCLOSED PATIO:		36.10sqm
PAUSE AREA:		18.20sqm
NEW GARAGE ADDITION:		5.10sqm
FIRST FLOOR LOFT		27.80sqm
TOTAL NEW		63.30sqm
TOTAL FT. PRINT		241.70sqm
PLOT COVERAGE :		49.00sqm
		48.90%
		= Comply

NOTE : SANS10400- XA HOT WATER HEATING REQUIREMENT

- At least 50% of the annual average hot water heating requirement shall be provided by means other than electrical resistance heating including, but not limited to solar heating, heat pumps, heat recovery from other systems or processes and renewable combustible fuel.
- All new hot water cylinders to be insulated with 160MM ISOTHERM Thermac geyser blanket.
- All hot water supply pipe work to be lagged with Thermaflex (Polyethylene) or thermal insulation with a min R-VALUE of one. (ie: 25mm Polyurethane foam).
- All hot water heating specifications to be confirmed with a specialist.
- Insulation of the geyser to be installed according to the manufacturers/ specialists instructions.
- All solar or heating systems used to comply with the requirements for water installation in building, shall be in accordance with SANS CODES 10252-1, 10252-2, 1307,10254 & 10106

ROOF R -VALUE vs SANS 10400 XA: UPWARD AIRFLOW IN AIR SPACE	
0.6mm Long Corrugated Roof Sheets	R-VAL 0.03
DBL SIDED Radianshield	R-VAL 1.59
135mm Isotherm bulk. INS.	R-VAL 3.14
TOTAL	R-VAL 4.76
SANS	R-VAL 3.70
4.76 > 3.70 OF SANS 204	= DO COMPLY

NOTE:
 Total Nett Floor Area: according to SANS Energy calculations:- Excludes Garages/ Store rooms
LIGHTING
 ALLOWED: 5W/sqm
 5W/sqm x 126.80sqm = 630.00W

16 x11W CF Lamps = 176.00W
TOTAL OBTAINED = 176.00W
 or 176.00W/126.80sqm = 1.38W/sqm
 (>5W/sqm)
DO COMPLY (DEMAND OBTAINED < DEMAND ALLOWED

ENERGY CONSUMPTION
 ALLOWED: 5W/sqm.a or 5kWh/sqm a= 1(year)
 5kWh/sqm.a x 126.80sqm = 630.00kWh.a
 Assume lights are on from 17:00-22.00 each day/year
 thats 5h/day
 52weeks x 7days x5h = 1820h.a

16 x11W CF Lamps = 176.00W
 or 0.176kW
 0.176kW x 1820h.a = 320.30kWh.a
 (>630Wh.a)
DO COMPLY (CONSUMPTION OBTAINED < CONSUMPTION ALLOWED

ELECTRICAL LEGEND
 ⦿ Cl. 11W — 11W CLEAR FLUORESCENT

GENERAL

- All building, electrical, and drainage work to be in strict accordance with SABS 10400 standards or meet the national building regulations. (all building materials to be S.A.B.S. approved)
- All dimensions and levels to be checked on site before commencement of any construction.
- All openings less than 3000mm to have P.C ide stresso lintols over and min. of four courses of brick force laid above lintols to manufacturers specifications.
- All structural timber to be v4/5 S.A. pine or SABS approved, otherwise as required by council authorities
- All DPM's (375micron) to be stepped with weep holes at 1200 cts. positioned min.150 above paving or natural ground level.
- Excavate to a depth to provide a solid and uniform foundation to all footings. No concrete footing to project beyond any site boundary.
- All external openings to have vertical DPC's all round
- All safety glazing to be as per SABS 10400 PART N regulation
- Light areas are min. 10% of floor area as per NBR requirements
- Ventilation areas are min. 5% of floor areas as per NBR requirements
- All external walls to be Plaster & painted (x2 coat undercoat pva) or equally approved by owner / builder
- All internal walls to be plastered & painted (or equally approved by owner/builder)
- All windows and doors as per schedule.

ALL NEW WORK SHALL COMPLY WITH THE LATEST VERSIONS OF SANS 10400:
 Part A: General Principles and Requirements
 Part B: Structure Design
 Part C: Dimensions
 Part D: Public Safety
 Part F: Site operations
 Part H: Foundations
 Part J: Floors
 Part K: Walls
 Part L: Roofs
 Part M: Stairways
 Part N: Glazing
 Part O: Lighting and Ventilation
 Part P: Drainage
 Part T: Stormwater Disposal
 Part V: Fire Protection
 Part W: Space Heating
 Part X: Fire Installation
 Part XA: Energy Efficiency

WHICH ARE APPLICABLE TO THE WORK SPECIFIED.
 Contractor shall be responsible for ascertaining the "deemed to satisfy" requirements of sabs 10400 as described and listed. **contractor must ensure that all these requirements are complied with as work proceeds.**



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DRAWN BY: M.Tobias
 CHECKED BY: Brandon Scorgie

PROJECT DESCRIPTION: **Proposed new additions and Alterations**

PAGE CONTENT: **FLOOR & ROOF PLAN**

CLIENT: **M & A FOURIE**
 ADDRESS: **30 DEMPERS STREET ONRUSRIEVER**
 ERF: **3133**
 DRAWING No.: **3133_skp_01**

PROJECT NUMBER: **J1262** SCALE: **1:10 / 1:50 / 1:100** PAGE SIZE: **A2**

DATE: **6 JUNE, 2024** PAGE No.: **02** REV: **C**

GROUND STOREY PLAN SCALE 1:100

FIRST STOREY PLAN SCALE 1:100