



ERF 1441, 27 MEYER STREET, FRANSKRAAL: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: HANS & HELMIEN BLIGNAUT

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 that an application has been received for the following:

- **departure** in terms of Section 16(2)(b) to relax the northern rear building line from 2m to 0m to accommodate the existing covered braai area, and
- **determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town & Spatial Planning, Hermanus and at the Gansbaai Library, Main Road, Gansbaai. 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 / alida@overstrand.gov.za) on or before **Friday 22 August 2025**, quoting your name, address and contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to **Mr S van der Merwe** 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 & Spatial Planning Department where a municipal official will assist them in order to formalize their comment.

ERF 1441, MEYERSTRAAT 27, FRANSKRAAL: AANSOEK OM AFWYKING EN BEPALING VAN 'N ADMINISTRATIEWE BOETE: HANS EN HELMIEN BLIGNAUT

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 dat 'n aansoek ontvang is vir die volgende:

- **afwyking** ingevolge Artikel 16(2)(b) om die noordelike agter boulyn vanaf 2m na 0m te verslap om die bestaande braai area te akkommodeer.
- **bepaling van 'n administratiewe boete** ingevolge Artikel 16(2)(q) van die Verordening.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stads- en Streekbeplanning, Hermanus en by die Gansbaai Biblioteek, hoofweg, Gansbaai. 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 / alida@overstrand.gov.za) voor of op **Vrydag 22 Augustus 2025**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan **Mr S van der Merwe** 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: Stads- en Streekbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

ISIZA 1441, 27 MEYER STREET, FRANSKRAAL: ISICELO SOPHAMBUKO KUNYE NOKUMISELWA KWESOHLWAYO SOLAWULO: HANS & HELMIEN BLIGNAUT

Isaziso sinikezelwa ngokwemiqathango yeCandelo 48 loMthetho kaMasipala oLungisiweyo woMasipala wase-Overstrand ongoCwangciso lokuSetyenziswa koMhlaba kaMasipala, 2020 sokuba isicelo sifunyenwe ngoku kulandelayo:

- **Uphambuko** ngokwecandelo 16(2)(b) ukunyenysiswa komda wesakhiwo emantla ngasemva ukusuka ku 20 mitha ukuya ku 0 mitha ukulungiselela indawo yebrayi ekhoyo, kunye
- **Ukumisewa Kwesohlwayo Solawulo** ngokwemigaqo yeCandelo 16(2)(q) walo Mthetho.

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ukuze zihlolwe ngeentsuku zokusebenza ngamaxesha okusebenza phakathi kwentsimbi yesi-08:00 neye-16:30 kwiSebe: UCwangciso lweDolophu, eHermanus kunye neThala leeNcwadi laseGansbaai, Main Road e Gansbaai. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokuhambelana nezibonelelo zeCandelo lama-51 kunye nelama-52 alo Mthetho kaMasipala oxeliweyo kuMasipala (16 Paterson Street, Hermanus / alida@overstrand.gov.za) ngomhla okanye ngaphambi komhla **uLwesihlanu 22 EyeThupa 2025**, uchaze igama lakho, idilesi kunye neenkukacha zoqhagamshelwano, umdla kwisicelo kunye nezizathu zezimvo. Imibuzo ngomnxeba ingenziwa kuMchwangcisi weDolophu, **UMnu. S van der Merwe** kule nombolo yomnxeba 028-313 8900. UMasipala unokwala ukwamkela izimvo ezifunyenwe emva komhla wokuvalwa. Nabani na ongakwaziyo ukufunda okanye ukubhala angandwendwela iSebe loCwangciso lweDolophu apho igosa likamasipala liya kuthi limncedise ukuze abhale ngokusesikweni izimvo zakhe.



Attn: Overstrand Municipality
Town and Spatial Planning
16 Paterson Street
Hermanus
7200

Jurgen & Helmiën Blignaut
27 Meyer Street
Franskraal
7220
26/05/2025

Dear Sir/Madam,

Motivational Report for Application for Building Line Relaxation

Herewith, our request and motivation for relaxing the rear building lines on Erf 1441, Franskraal, Plan no 50569.

Proposed Development

Departure of Northern (Rear) Building Line from 2m to 0m on Erf no. 1441.

The rear/north facing building line will be affected.

The reason for the proposed encroachment is that the previous owners of the property erected a braai room attached to the east side of the existing garage, without submitting plans for the braai room to the municipality. The current plans under submission, plan 50569, attempts to rectify this situation.

Character of the Environment

The building is in an existing residential area. It is in line with existing buildings in the area. It will not affect current accommodation density. There are no historical architecture or conservation areas in the vicinity. It will not affect the street views or privacy of neighbors. No community facilities are close by.

Desirability of Proposed Utilisation

There is no proposed change to the current utilisation of the property.

Investigations Carried out in Terms of Other Laws.

The property has no restrictions in terms of other laws, including the National Heritage Resources act.

Impact on Municipal Engineering Services.

The property is already served by municipal services, i.e. water and electricity supply. No additional services are required.

The property is already accessible from the existing street network. No additional access is needed, and no increase in traffic will occur.

Consideration of Forward Planning and Land Use

The municipal residential zoning scheme imposes a 2m building line from the borders of the erf, and the property title deed document a 4,5m building line from the street, i.e. the southern border.

The rear of the braai room was built 0m from the northern (rear) border of the erf. It is attached to the existing garage.

There are approved plans from Gansbaai Municipality for this existing garage. These plans were approved on 8 August 2000 by the Gansbaai Municipality, Reference no. 15/4/1/4.

There is also approval from Gansbaai Municipality for the existing garage to exceed the building line from 2m to 0m on both the northern (rear) and western (side) borders. This approval was granted on 31 July 2000. Reference number: 15/1/5/1 (Spes)

We therefore respectfully request that you grant this approval to move the building line from 2m to 0m on the northern (rear) border in respect of the braai room as well.

Planning Principles.

No development norms and criteria of the SPLUMA act are violated by this structure.

Amendment, Suspension or Removal of Restrictive Conditions

No immediate financial value will be gained by the current owners if this amendment is approved. The owners may incur a financial loss if the amendment is not approved, and the structure needs to be removed.

The personal benefit to the current owners is simply that they will retain the use of the braai room facility.

In terms of social benefit, any future owner of the property will not have to deal with this undesirable situation again.

No rights will be removed from the current owners by the approval of the amendment.

We sincerely hope for a favourable consideration of this application.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'H Blignaut', written over a horizontal line. The signature is stylized and cursive.

Jurgen & Helmien Blignaut
Contact: 082 922-7239, 082 929-7137

