



E ERF 1467, 23 KIEWIET AVENUE, EASTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS INTERACTIVE TOWN & REGIONAL PLANNING ON BEHALF OF MA WEDER

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), that an application has been received for a **departure** in terms of Section 16(2)(b) of the By-Law, to relax the street building line from 4m to 0m and the western lateral building line from 2m to 1.6m respectively in order to accommodate the proposed carport.

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) alida@overstrand.gov.za) on or before **24 January 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. P Roux** 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 1467, 23 KIEWIET RYLAAN, EASTCLIFF, HERMANUS, OVERSTRAND MUNISIPALE GEBIED: AANSOEK VIR AFWYKING: MNRE INTERACTIVE STADS- EN STREEK BEPLANNING NAMENS M.A WEDER

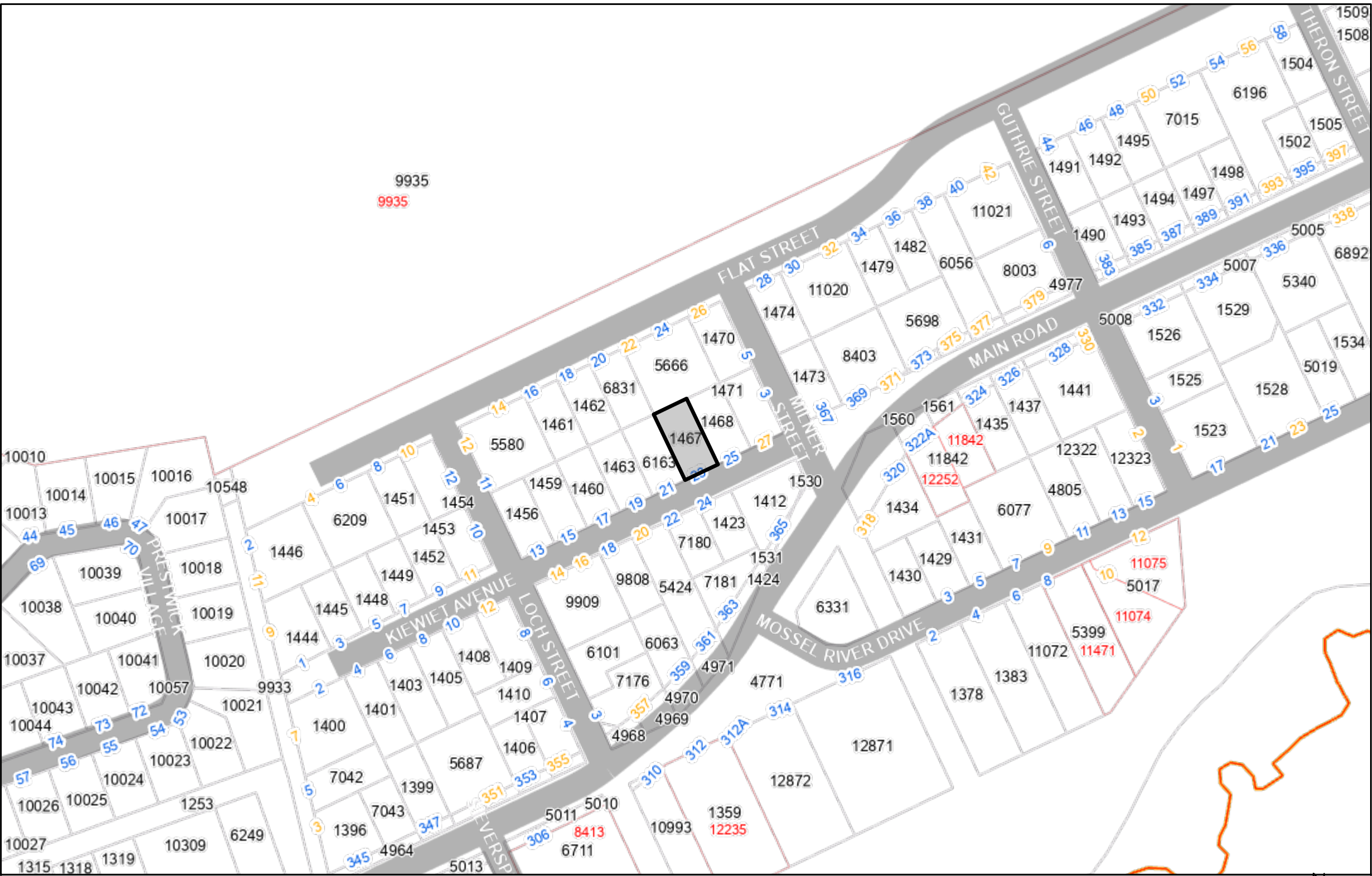
Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening), dat 'n aansoek ontvang is vir 'n **afwyking** ingevolge Artikel 16(2)(b) van die Verordening, om die straatboulyn vanaf 4m to 0m en die westelike lateraleboulyn vanaf 2m na 1.6m onderskeidelik te verslap ten einde die voorgestelde motorafdak 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) alida@overstrand.gov.za) voor of op **24 Januarie 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. P. Roux** 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.

ISIZA 1467, 23 KIEWIET AVENUE, EASTCLIFF, HERMANUS, KUMMANDLA WOMASIPALA WASE-OVERSTRAND: ISICELO SOKUNYENYISWA: ABAKWA-INTERACTIVE TOWN & REGIONAL PLANNING EGAMENI LIKA MA WEDER

Kukhutshwa isaziso ngokumayela neCandelo 48 loMthetho Otshintshiweyo woMasipala wase-Overstrand ongokuSetyenziswa nokuCetywa koMhlaba kaMasipala ukuba kufunyenwe isicelo **sokunyenysiswa** ngokumayela neCandelo 16(2)(b) loMthetho kaMasipala ukuze kunyenysiswe umgca wesakhiwo okwicala elingasesimalatweni ukusuka ku-4m ukuya ku-0m, kunye nomgca wesakhiwo kwicala elingasentshona ukusuka ku-2m ukuya ku-1.6m ukuze kuvunyelwe ukuba indawo yokumisa imoto.

linkcukacha ezipheleleyo mayela noku kucetyiweyo ziyafumaneka ukuze zihlolwe phakathi evekini phakathi ko-08:00 no-16:30 kwiSebe: Town Planning, Paterson Street, Hermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe kuMasipala ngokwezibonelelo zeCandelo 51 neCandelo 52 loMthetho kaMasipala ochaziweyo (16 Paterson Street, Hermanus / (e) alida@overstrand.gov.za) ngaphambi okanye engadlulanga umhla we- **24 Eyomqungu 2024**, ubhale igama lakho, idilesi neenkukacha zoqhagamshelwano, umdla wakho kwisicelo nezizathu zokubhala izimvo zakho. Imibuzo ngefowuni ingafakwa ku**Mcebi Dolophu, uMnu. P Roux** ku 028-313 8900. UMasipala angangavumi ukwamkela amagqabaza okuhlomla afunyenwe emva komhla wokuvala. Nabani na ongakwazi kufunda okanye ukubhala angatyelela iSebe lokuCeba Idolophu apho igosa lakwamasipala liya kumnceda afake amagqabaza okuhlomla.



1. Introduction

a. Brief

Refer to **Annexure B** for the Power of Attorney.

Interactive Town and Regional Planning is appointed by the owner of the property Marcel Andreas Weder to prepare and submit an application for building line departures on Erf 1467, Eastcliff in terms of the relevant legislation.

b. Background, Development Objective & Application Proposal

The application is for a carport located on Erf 1467 Eastcliff, a single residential zoned erf accommodating a single storey dwelling house within Eastcliff. The existing dwelling which was approved in terms of a previous zoning scheme, exceeds the current Overstrand Municipality Planning By-Law, 2020 zoning scheme side building lines.

The **application objective** is to obtain permission for a proposed carport exceeding side and street building lines. The carport is proposed on the street boundary and 1.6m from the side boundary.

The carport is proposed to have a flat roof with a height of 2.4m from natural ground level. The carport is also proposed to be screened by a 2.1m wall.

Floor Plan

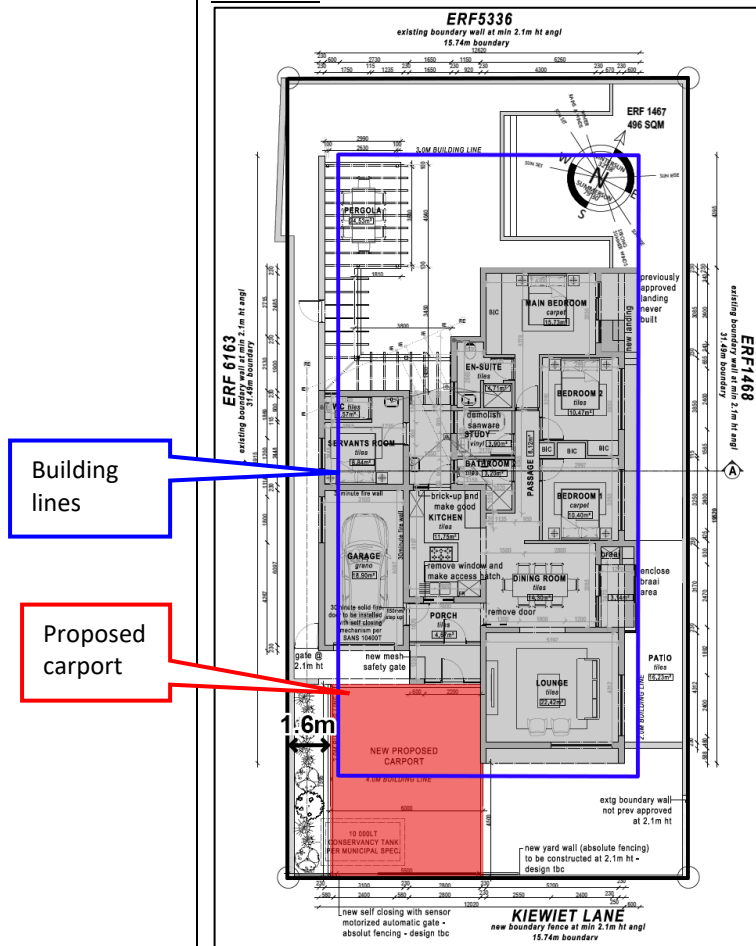


Figure 1: Development Proposal

Subsequently to realize the above objective, the following applications need to be made:

- A departure to relax the **street building line** from 4m to 0m to allow for a proposed carport.
- A departure to relax the **western side building line** from 2m to 1.6m to allow for a proposed carport.

2. The Application

<p>a. Analysis: Title Deed Refer to Annexure D for the Conveyancer Certificate.</p>	<p>The conveyancer Amelia Galvin from Virtual Lawyers provided a conveyancer certificate confirming that no title deed conditions exists which restricts the application proposal.</p>						
<p>b. Analysis: Development Criteria:</p> <p>The development parameters for Erf 1467 Hermanus as per the Overstrand Municipality Land use Scheme, 2020 are summarised as follows:</p>	<p>Parameters</p>		<p>Existing Zoning:</p>		<p>Proposal:</p>	<p>Comments</p>	
	<p>Zoning</p>		<p>Residential Zone 1: Single Residential</p>		<p>Residential Zone 1: Single Residential</p>	<p>Consistent</p>	
	<p>Primary Use</p>		<p>Crèche, dwelling house, guest rooms, home occupation, second dwelling unit and self-catering</p>		<p>Dwelling house</p>	<p>Consistent</p>	
	<p>Consent Uses</p>		<p>Day care centre, green house, guest house, house shop, institution, place of instruction, place of worship, residential building and intensive horticulture</p>		<p>None</p>	<p>Consistent</p>	
	<p>Coverage</p>		<p>50%</p>		<p>44.4%</p>	<p>Consistent</p>	
	<p>Height</p>		<p>8m</p>		<p>5.5m</p>	<p>Consistent</p>	
	<p>Building lines</p>		<p>Street</p>	<p>4m</p>		<p>4m 0m for the proposed carport</p>	<p>Application includes a departure</p>
			<p>Side</p>	<p>2m</p>		<p>2m 1.2m for the existing dwelling (previously approved) 1.6m west for the proposed carport</p>	<p>Application includes a departure</p>
			<p>Rear</p>	<p>2m</p>		<p>2m</p>	<p>Consistent</p>
<p>Parking</p>		<p>Dwelling house: 2 bays</p>		<p>Dwelling house: 2 bays</p>	<p>Consistent</p>		
<p>c. Application:</p> <p>The application form is attached as Annexure A.</p>	<p>Application is subsequently made in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following:</p> <ul style="list-style-type: none"> • A <u>departure</u> to relax the street building line from 4m to 0m to allow for a proposed carport in terms of Chapter IV, Section 16(2)(b). • A <u>departure</u> to relax the western side building line from 2m to 1.6m to allow for a proposed carport in terms of Chapter IV, Section 16(2)(b). 						

3. Contextual Site Information

a. Property Description	Property	Extent	Title Deed	Registered Owner
	Erf 1467 Hermanus	496m ²	T7947/2011	Marcel Andreas Weder

Refer to Annexure E for the SG Diagrams, Annexure C for the Title Deed of Erf 1467 Eastcliff.

The following Surveyor General Plans reflect the application site:

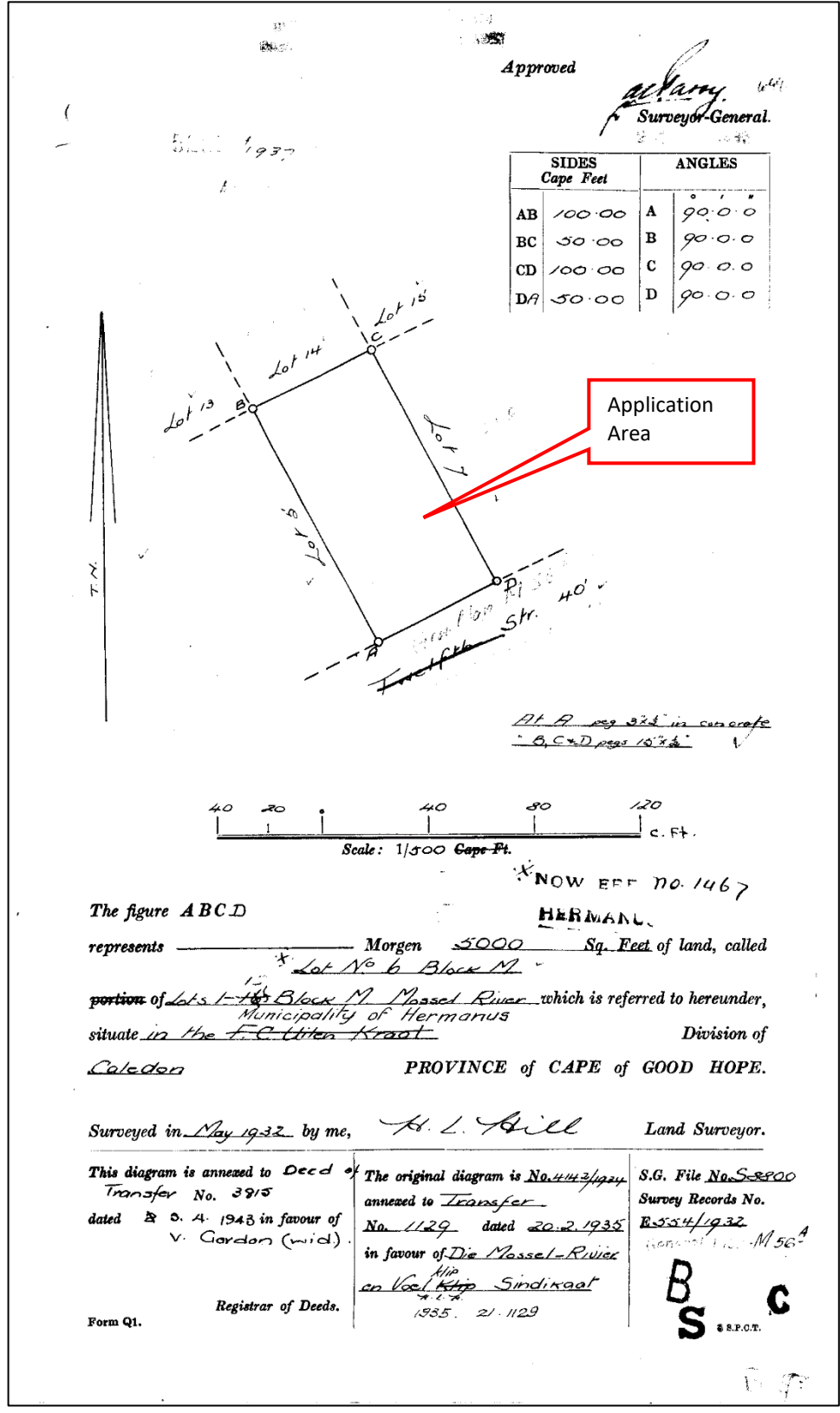


Figure 2: Extracts of the Surveyor General Plan of the application site

b. Location:

For the Locality Plans refer to Annexure F

Regional Context:

Within the regional context, the application area is located within Eastcliff residential suburb, which forms part of Hermanus Central.

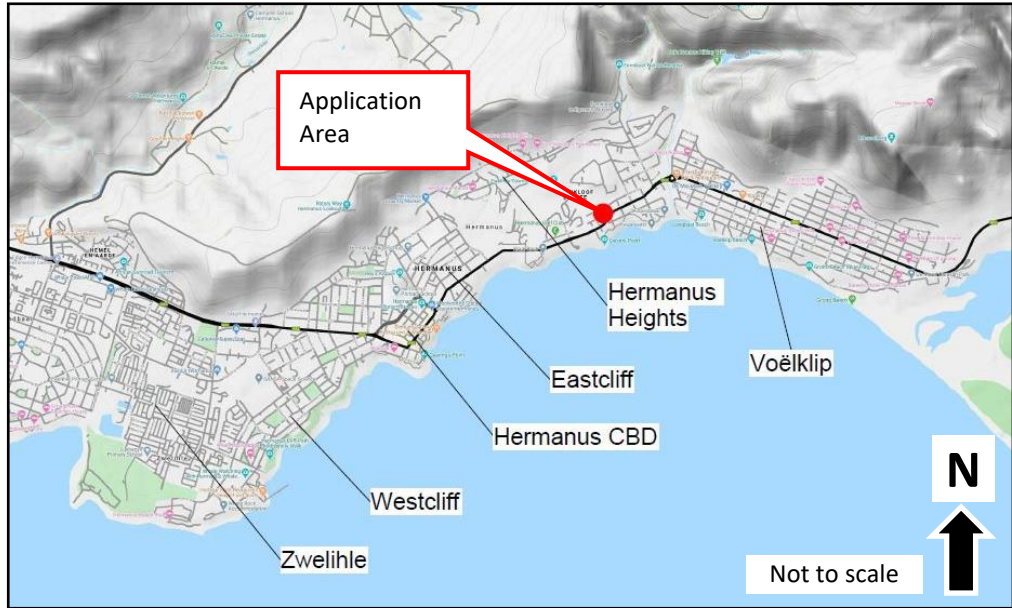


Figure 3: Locality Plan – Regional Context

Local Context:

Within the local context the application area consists of a single residential erf within Eastcliff. The application area is located at number 23 Kiewiet Lane.



Figure 4: Locality Plan – Local Context

e. Laws and policies relevant to the consideration of the application and forward planning and land use documents

The following policy is applicable to the application area and the development proposal:

i. Overstrand Municipal Spatial Development Framework, 2020

The application area falls within an Urban Development area within the Urban Edge.

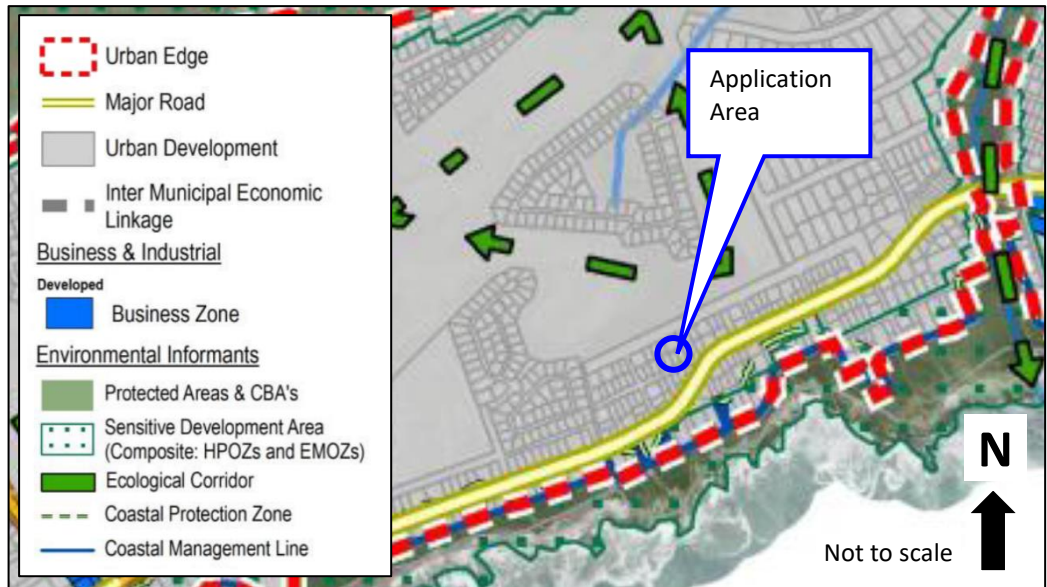


Figure 7: Spatial Development Framework 2020 Spatial Proposals Plan

The application is consistent with the Overstrand Municipal Spatial Development Framework, 2020.

ii. Overstrand Municipality Growth Management Strategy, 2020

The application area is within an area earmarked for Less Than 10 Dwelling Units Per Hectare Densification Zone.

No further densification is applicable to this application, as the proposal is to allow for a proposed carport.

The application is consistent with the Overstrand Municipality Growth Management Strategy, 2020.

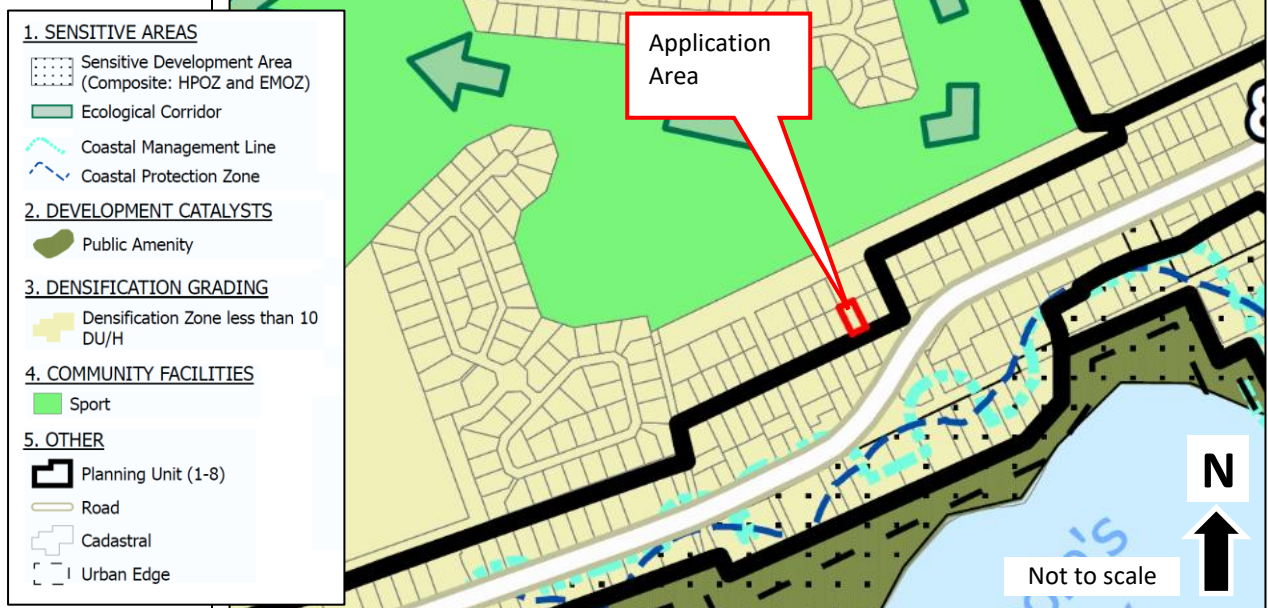


Figure 8: Extract from the Overstrand Municipality Growth Management Strategy, 2020 reflecting the envisaged land-uses for the area.

4. Motivation

Motivation for the application:

Refer to **Annexure I** for the Building Plan

a. Introduction and Background

The application area which is located at 23 Kiewiet Lane, Eastcliff presently accommodates an existing single storey dwelling with a single garage as shown in the following photograph.



Figure 9: Photographs of the application area

The existing dwelling was approved in terms of the previous zoning scheme with the lateral sides encroaching the Overstrand Municipality Land use Scheme, 2020 side building lines.

From the above photographs and the extracts of the building plans below respectively it is evident that the property lacks sufficient space to accommodate a garage or carport which does not exceed the building lines.

b. The Proposal

The **development objective** is to erect a carport for shading and weather protection purposes.

The carport is proposed on the street boundary and 1.6m from the side boundary.

The carport is proposed to have a flat roof with a height of 2.4m from natural ground level.

In addition to the carport, a 2.1m high wall along the street boundary is proposed to be built with an automated gate.

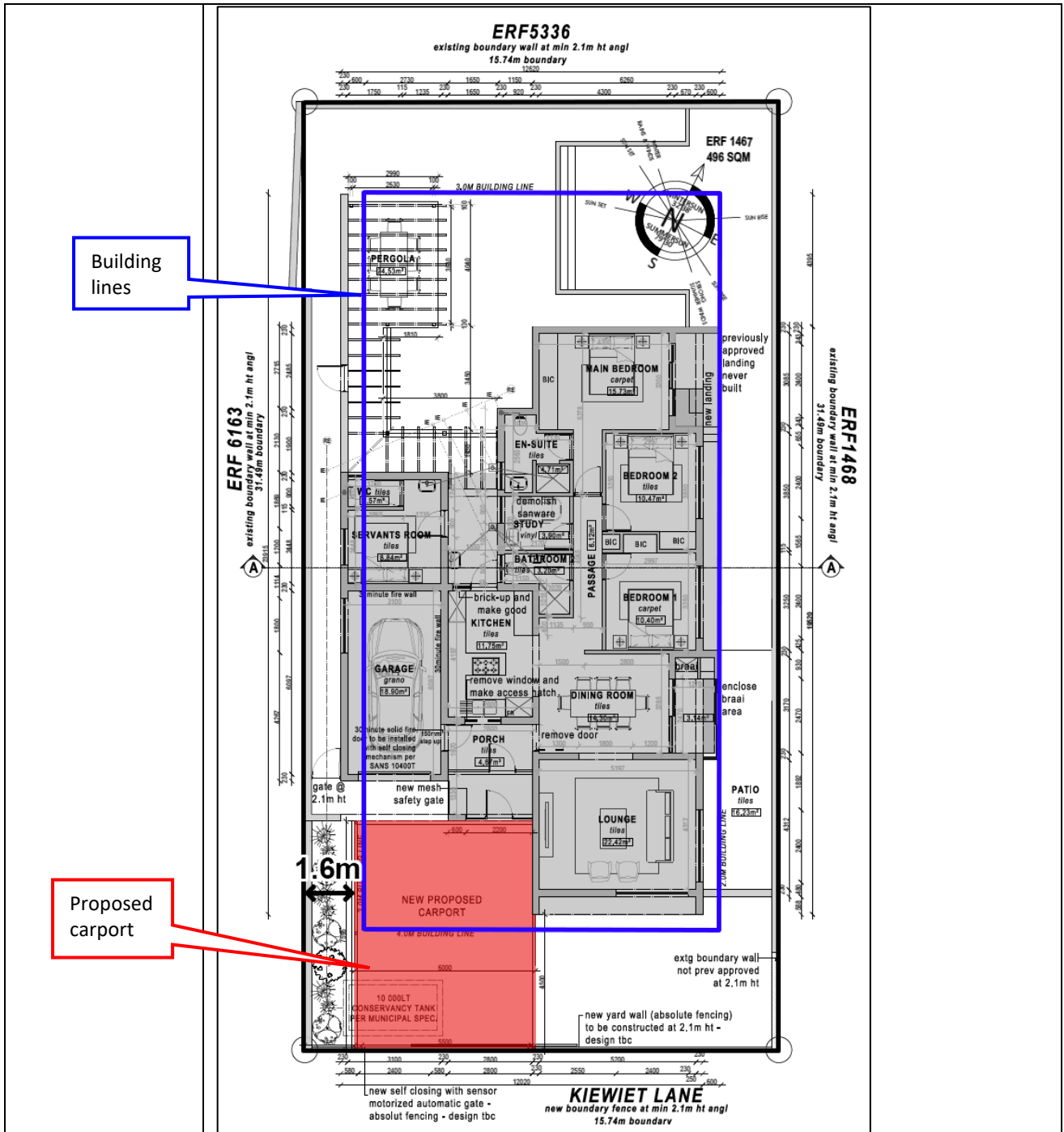
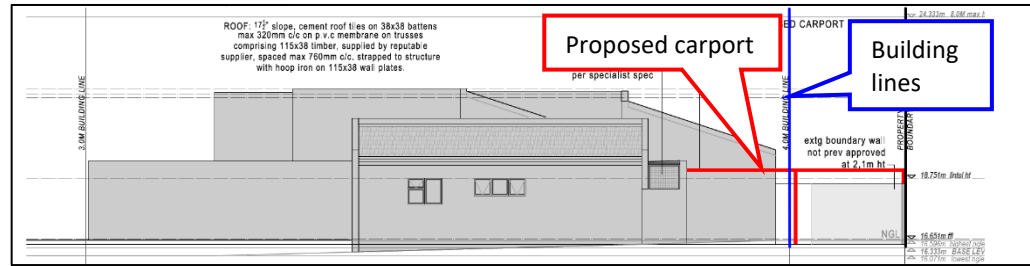


Figure 10: Floor Plan

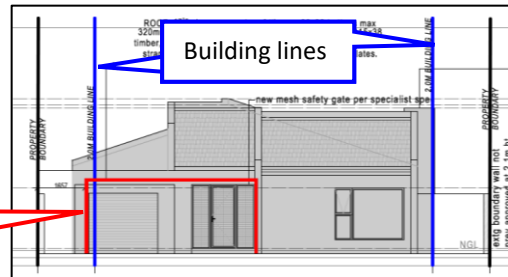
Eastern Elevation



Western Elevation



Southern Elevation



Northern Elevation

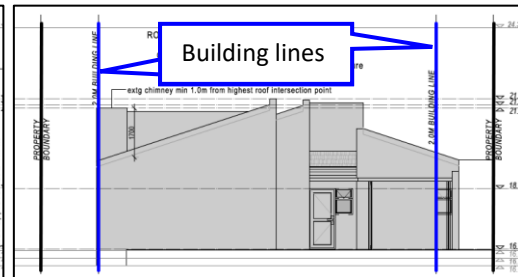


Figure 11: Elevations

The dwelling only has a single garage, thus resulting that the owner's second and third vehicle can presently not be accommodated within a secure and weather protected area on the application site.

The proposed carport will make no difference or have a negative impact with reference to traffic in terms of ingress and egress.

The character of the area will also not be affected negatively given that the carport will be mostly behind closed gate and fence and not clearly noticeable from the street.

c. Desirability

The existing carport is therefore considered **desirable** for the following reasons:

- The proposed carport is in line with the existing garage door at 1.6m from the side boundary and is not closer to the side boundary than the dwelling which is at 1.2m from the side boundary.
- The carport is proposed as a 2.4m high neat structure with a flat roof to be screened by a 2.1m wall with a gate, thus reducing the potential visual impact.
- The proposal will not obstruct access on the erf for civil services, traffic or emergency services.
- The proposal will not impact negatively on views, light or privacy of neighbouring properties.
- The application proposal is consistent with the relevant policy documents.
- The proposal will protect vehicles from the sun, thus reducing wear and tear.

d. Planning Principles

In terms of Chapter VI of the Spatial Planning and Land Use Management Act, 2013 the following Planning Principles have been applied to the application site:

- 1) **Spatial Justice** which refers to the need for redressing the past apartheid spatial development imbalances and aims for equity in the provision of access opportunities, facilities, services and land.

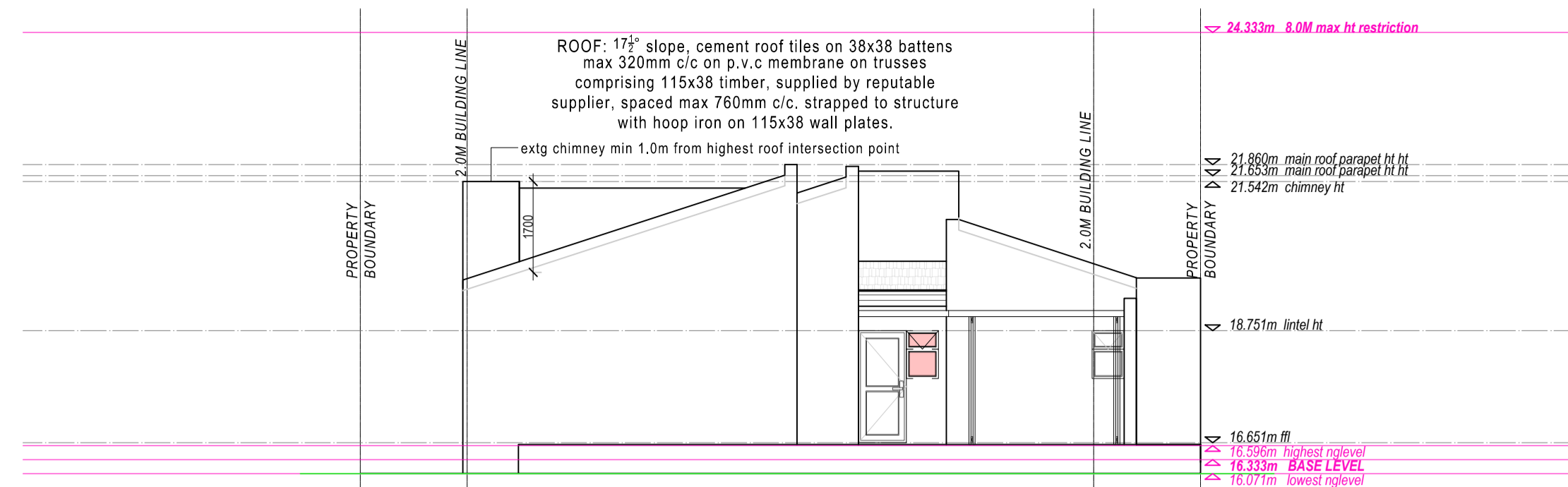
	<p>Possible results of the development The proposal will not in any way contribute to perpetuation of past apartheid spatial development imbalances as it only relates to additions to an existing dwelling.</p> <p>The application proposal is consistent with the principle of spatial justice.</p> <p>2) Spatial Sustainability which refers to the fact that a spatially sustainable settlement will be one which has an equitable land market, while ensuring the protection of valuable agricultural land, environmentally sensitive and biodiversity rich areas, as well as scenic and cultural landscapes and ultimately limits urban sprawl.</p> <p>Possible results of the development The proposal will allow for structures on a single residential erf within the urban edge. Therefore, no impact on agricultural land, environmentally sensitive areas and biodiversity rich areas will occur.</p> <p>The application proposal is consistent with the principle of spatial sustainability.</p> <p>3) Efficiency which refers to the manner in which settlements themselves are designed to function in such a way that there will be a minimum need to travel long distances to access services, facilities and opportunities.</p> <p>Possible results of the development The proposal does not have an impact on the layout or efficiency of the town as it only relates to additions to an existing dwelling.</p> <p>The application proposal is consistent with the efficiency principle.</p> <p>4) Spatial Resilience which, in the context of land use planning, refers to spatial plans, policies and land use management systems which should enable communities to be able to resist, absorb and accommodate any economic and environmental shocks which might occur in a timely and efficient manner.</p> <p>Possible results of the development The application proposal will not impact on spatial resilience.</p> <p>The application proposal is consistent with the principle of spatial resilience.</p> <p>5) Good Administration which, 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 that a joint planning approach is pursued.</p> <p>Possible results of the development Consultive practices are being followed in this application as it is done in consultation with the Planning Department of the Municipality who will also advertise the application in such a manner as to enable the Government and the general public to participate in the eventual decision-making process.</p> <p>The application proposal is consistent with the principle of good administration.</p>
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5. Conclusion

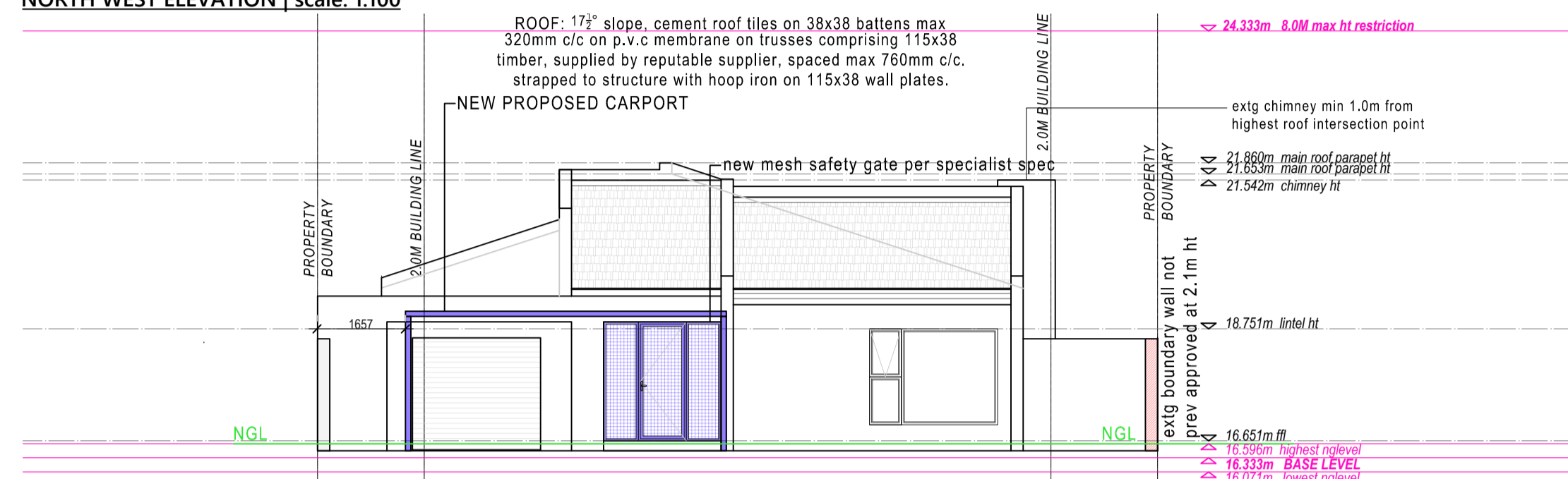
The application as motivated in this report is regarded **desirable** within its local context and well-integrated within the existing community land-use activities. Furthermore, the application proposal is considered to strike an efficient balance between the optimal use of the application area, providing a satisfactory residential environment and catering for a full range of residential needs, while potentially increasing the land value, without any material negative impact on the surrounding environment or on the application area currently evident or foreseen to result in future.

It is therefore recommended that the application in terms of Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 **be approved** for the following:

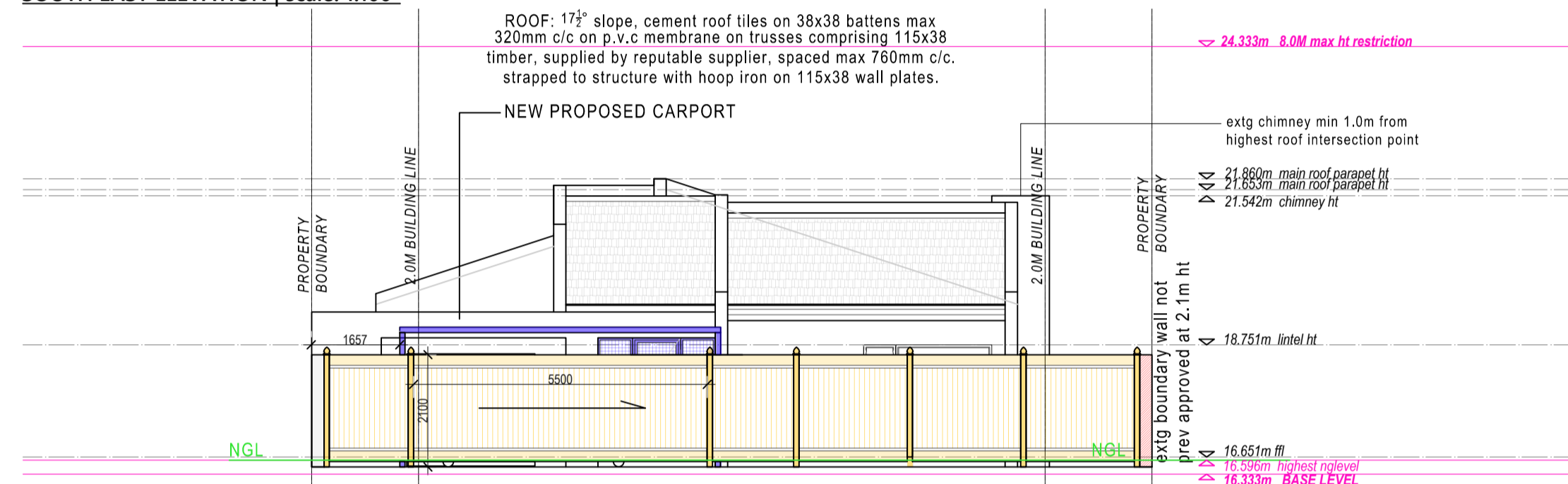
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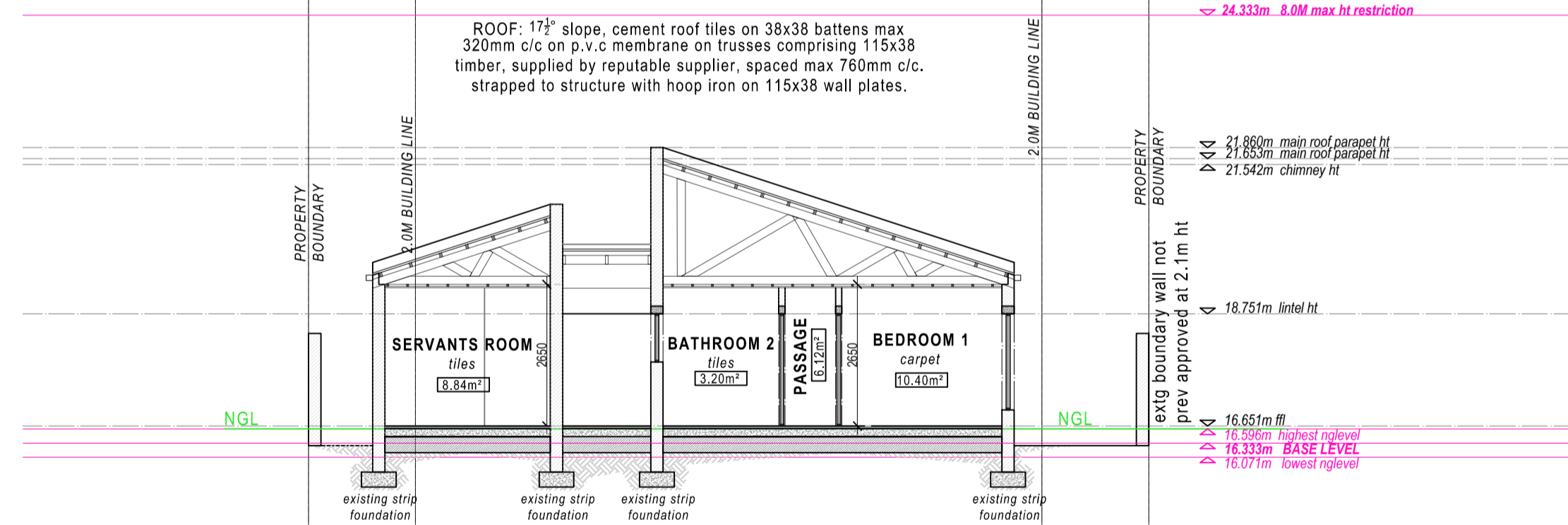
NORTH WEST ELEVATION | scale: 1:100



SOUTH EAST ELEVATION | scale: 1:100



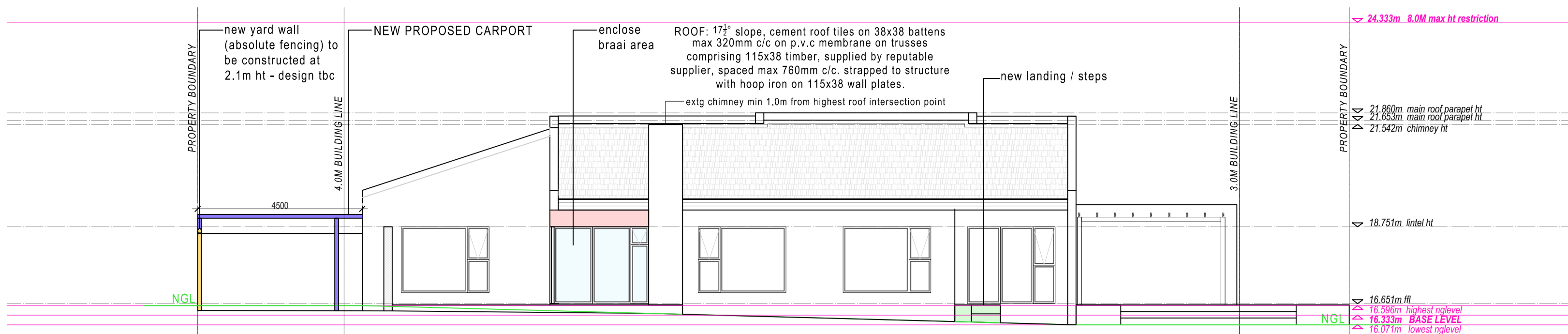
SOUTH EAST BOUNDARY ELEVATION | scale: 1:100



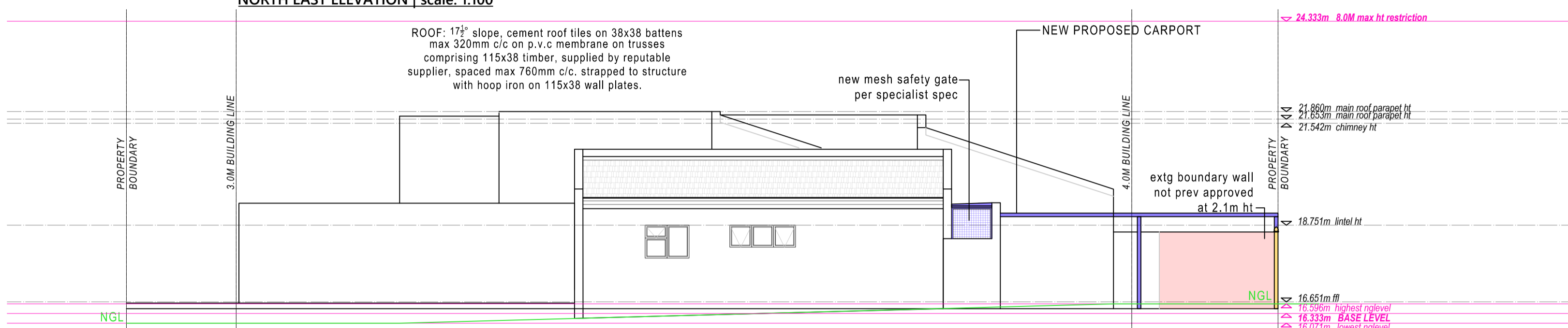
SECTION A - A | scale: 1:100



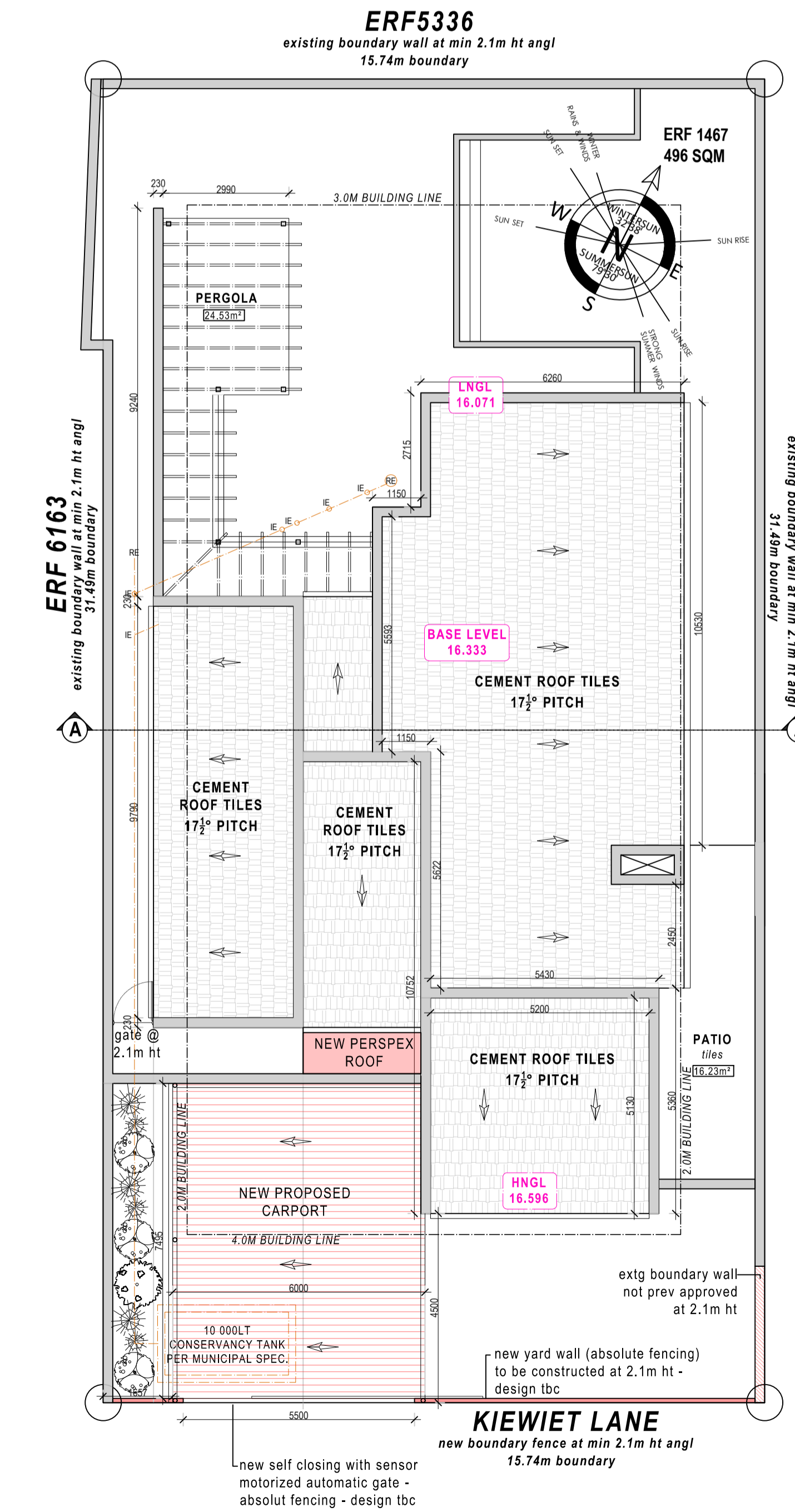
SITE LOCALITY | scale: nts



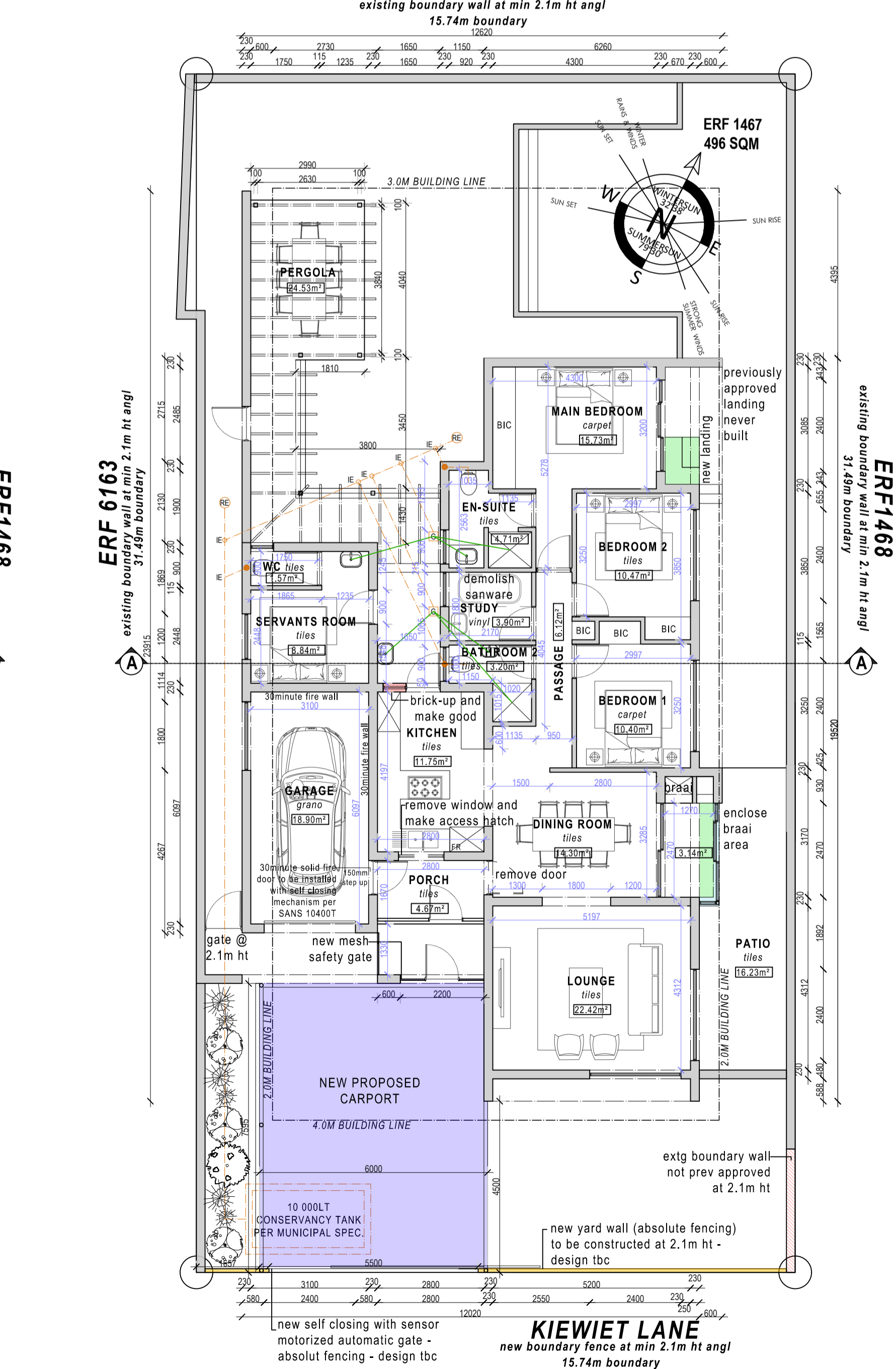
NORTH EAST ELEVATION | scale: 1:100



SOUTH WEST ELEVATION | scale: 1:100



SITE PLAN | scale: 1:100



SITE PLAN | scale: 1:100

BUILDING NOTES:
All work to comply with SANS 10400 and Building regulations. All works to be in accordance with local municipal authorities' regulations. Figured dimensions to be taken in preference to scaled dimensions. All levels and dimensions to be checked on site before building work commences. Contractors shall be deemed to have acquainted themselves with site conditions prior to commencement of work.

LEVELS: Levels and dimensions: The building are to be laid out and erected in the position and to the levels as indicated on the plan & site layout plan.
The contractor, sub-contractors and suppliers must verify all dimensions and levels on-site before commencing any work.

Land surveyor to confirm all boundary pegs and to check all levels before construction commences.
Top soil shall be removed from the area to be built upon, all grading leveling to be done by contractor.

MATERIALS: Material used in the erection of a building shall be suitable for the purpose for which it is to be used.

TIMBER: All timber used in the erection of a building shall be treated against termite and wood borer attack and fungal decay in accordance with the requirements of SANS 10005 and shall bear the product certification mark of a body certified by the south african national accreditation system.

BUILDING ELEMENTS: The construction of any building element shall be such that building element as constructed does not compromise the design intent of any design solution that satisfies the design requirement of a functional regulation.

FINISH FLOOR LEVEL: Finished floor level of dwelling to be min. of 255mm above back of footway level at sewer connection. It is recommended that garage floor level min of 170mm above back of footway level at driver entrance if any.

OTHER: Floors in any laundry, kitchen, shower room, bathroom or room containing a toilet pan or urinal must comply with sars 10400.1. Any combustible material to be 200mm away from chimney flue. The requirements of the national by-laws and any other applicable authority must be complied with. The builders must comply with the NHBRC by-laws.

All reinforced concrete slabs and stairs are to be cast strictly to structural engineer's specifications and details.
All stairs are to be reinforced concrete with risers not exceeding 190mm and treads not less than 195mm wide.

PAINT: All painted colours to external side of dwelling must first be applied to wall with a 1sqm sample and be approved by client before applying to wall.

ERF 5336
existing boundary wall at min 2.1m ht angl
15.74m boundary

ERF 1467
496 SQM

SURFACE AREA	
ERF SIZE	= 496.00m²
GROUND FLOOR	= 151.84m²
GARAGE	= 23.34m²
CARPOT	= 45.29m²
TOTAL SURFACE AREA	= 220.47m²

COVERAGE	
ALLOWABLE - 50%	= 249.00m²
GROUND FLOOR	= 30.61%
GARAGE	= 4.70%
CARPOT	= 9.12%
TOTAL COVERAGE	= 44.43%
TOTAL ADDITIONS	= 48.69m²

PROJECT: HOUSE MARCEL - ERF 1467
23 Kiewiet Avenue | Eastcliff | Hermanus | 7200

ZONING: SR1

ADDITIONS & ALTERATIONS OWNER: MA WEDER

THIS DOCUMENT SHOULD NOT BE USED FOR ANY OTHER PURPOSE THAN THAT WHICH PREPARED FOR AND WHICH COMMISSIONED FOR IT

DRAWING
locality plan, site plan, floor plan, elevations, section, boundary wall elevation
scale: see labels do not scale when printing (A1)

DATE: 22 APRIL 2024
DWG NO: 2413
REV: 00

DRAWN: mvj
CHECKED: gte

FOR MUNICIPAL APPROVAL PG 1/1

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DIRECTOR: JANNEKER BOESDIEN (PRACTISING ARCHITECT)
HANNES COETZEE - FR ARCHT 13447 (SAGAP)