



ERF 5204, 23 DORINGBOOM AVENUE, KLEINMOND: APPLICATION FOR DEPARTURE: J DOUGLAS ON BEHALF OF E PENGELLEY

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amended By-Law on Municipal Land Use Planning, 2020 (By-Law), that an application has been received in terms of Section 16(2)(b) of the By-Law for a **departure** to relax the western lateral building line from 2m to 1,5 to accommodate a proposed change of use of the existing single garage to a new study and laundry respectively.

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 Kleinmond Library, Fifth Avenue, Kleinmond. 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 / loretta@overstrand.gov.za) on or before **2 May 2025**, quoting your name, address and contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to **Ms. H van der Stoep** 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 5204, DORINGBOOMLAAN 23, KLEINMOND: AANSOEK OM AFWYKING: J DOUGLAS NAMENS E PENGELLEY

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening), dat 'n aansoek ingevolge Artikel 16(2)(b) van die Verordening ontvang is vir 'n **afwyking** om die westelike syboullyn vanaf 2m na 1,50m te verslap om die voorgestelde gebruikverandering van die bestaande enkel motorhuis na onderskeidelik 'n nuwe studeer- en waskamer te akkommodeer.

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 Kleinmond Biblioteek, Vyfdelaan, Kleinmond. 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 / loretta@overstrand.gov.za) voor of op **2 Mei 2025**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan **Me. H van der Stoep** 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 5204, 23 DORINGBOOM AVENUE, KLEINMOND: ISICELO SOPHAMBUKO : J DOUGLAS EGAMENI LIKA E PENGELLEY

Isaziso sinikezelwa ngokwemiqathango yeCandelo 48 loMthetho kaMasipala oLungisiweyo woMasipala wase-Overstrand ongoCwangciso lokuSetyenziswa koMhlaba kaMasipala, 2020 sokuba isicelo sifunyenwe ngokwemiqathango yeCandelo 16(2)(b) waloMthetho wonduluko wokunyenya umda wesakhiwo esibucala ukusuku kwi mitha ezi2 ukuya kwi 1,5 mitha ukulungiselela isiphakamiso sotshintsho lokusetyenziswa kwegaraji enye ekhoyo ukuze ibeyindawo yokufundela kunye nendawo yokuhlamba impahla ngokulandelelanayo.

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 laseKleinmond, 5th Avenue, eKleinmond. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokuhambelana nezibonelelo zeCandelo lama-51 kunye nelama-52 alo Mthetho kaMasipala oxeliweyo kuMasipala (16 Paterson Street, Hermanus / loretta@overstrand.gov.za) ngomhla okanye ngaphambi komhla wama-**2 uCanzibe 2025**, uchaze igama lakho, idilesi kunye neenkukacha zoghagamshelwano, umda kwisicelo kunye nezizathu zezimvo. Imibuzo ngomnxeba ingenziwa kuMchwangcisi weDolophu, **UNksk. H van der Stoep** 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.



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1. Background

The subject property Erf 5204 is situated in the residential neighbourhood of Kleinmond is located along Doringboom Avenue with an extent of 595m². According to the zoning map & Overstrand Municipal Land Use Scheme, 2020 the property is zoned as Residential Zone I: Single Residential (SRI). The property currently consists of a two-bedroom dwelling house with access gained from Doringboom Avenue.

It is the intent of the property owner to convert the existing garage into a study and convert a portion of the study into a laundry room.

Jeané Douglas is hereby duly appointed by the property owner (E Pengelley) to submit a land use planning application for the proposed development.

See Appendix-B for the Power of Attorney & Appendix-C for the Site Development Plan

2. Application

The following is proposed:

Application is hereby submitted in terms Section 16 (2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the following:

- Departure of the western lateral building line from 2m to 1.5m, in order to accommodate the new study and laundry room.

3. Locality

The subject property is situated within the Overstrand Municipality, located at 23 Doringboom Avenue, Kleinmond. The location of the property is shown in the figure below.

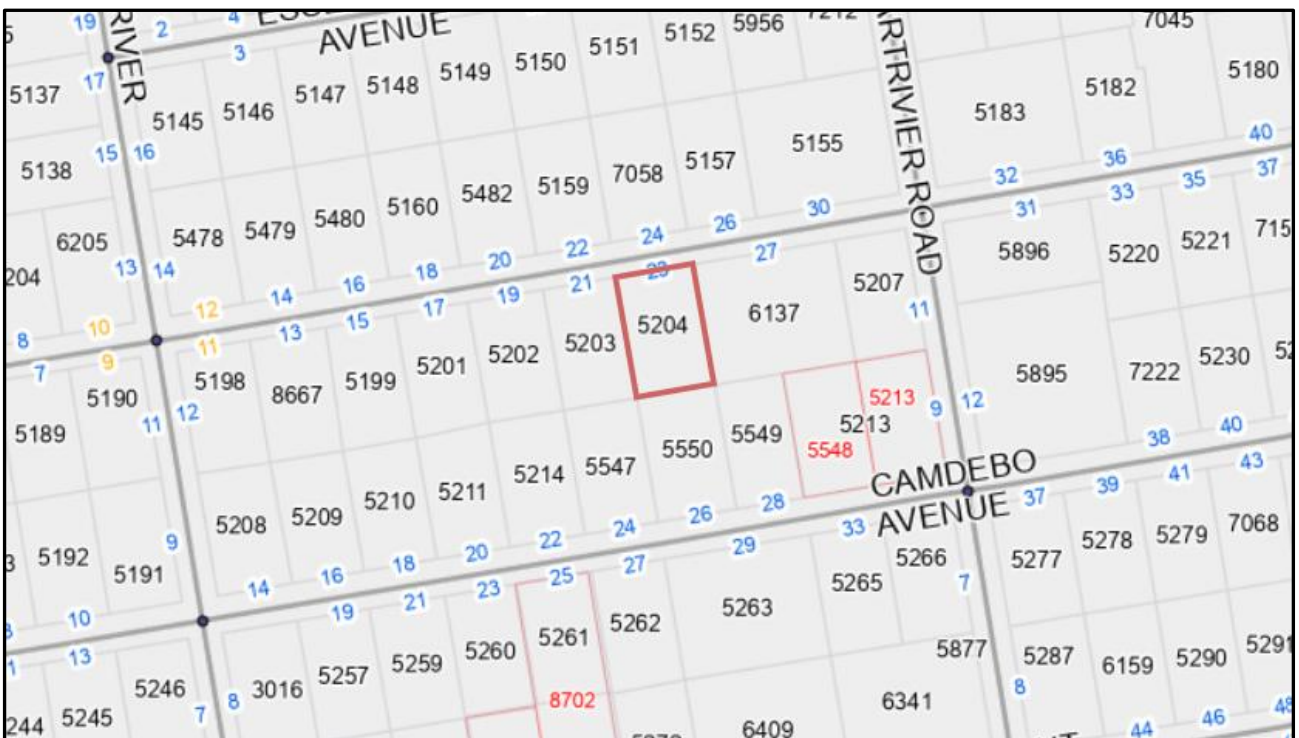


Figure 1: Locality Map of Erf 5204, Kleinmond

6. Title Deed

In terms of the Title Deed No T/ 35591/2024, Erf 5204 Kleinmond is registered in the name of Edith-Matie Pengelley with no title deed conditions restricting the proposed development. The Title Deed is attached hereto as Appendix E.

7. Engineering Services

The subject property is connected to the existing Overstrand Municipality services network which includes electricity, water, sewage and solid waste, therefore no problems are anticipated.

8. Policies and Regulations

Overstrand Municipal Spatial Development Framework, 2020 (MSDF)

The Municipal Spatial Development Framework is a sectoral component of the IDP that, in terms of the MSA, is aimed at providing general direction to guide decision making on an ongoing basis, aiming at the creation of integrated, sustainable and habitable regions, cities, towns and residential areas.

The proposed application is located within the urban edge and is indicated as part of the "urban development area". The proposed change to the residential zoned property is therefore in line with this forward planning document.

Overstrand Municipality Spatial Growth Management Strategy, 2010 (OMSGMS)

The Growth Management Strategy promotes the longer-term sustainability of the municipal area and its sub-regions. The property falls within the planning unit 11 which promotes residential densification.

The proposal to convert the existing garage into a study and laundry is therefore in line with this forward planning document.

9. Planning Principles

Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)

Section 7 of the "Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)" list 5 development principles based on which any development application must be evaluated.

The principles referred to are as follows:

1. Spatial Justice

Spatial Justice refers to planning proposals which do not contribute towards the perpetuation of apartheid spatial development imbalances. The proposed change of use from a garage to a study and a laundry will not trigger the principle due to the normal residential nature. The principle will therefore not perpetuate spatial justice.

2. Spatial Sustainability

Spatial sustainability refers to planning proposals which result in communities that are viable. The subject property is not located within any environmentally sensitive area or agricultural sensitive land. The principle of spatial sustainability is therefore not applicable to the proposed change of use.

3. Spatial resilience

The proposed change of use from a garage to a study and laundry room is a normal addition to a residential property and therefore not in conflict with any planning policies or be susceptible to spatial or environmental shocks. The principle of spatial resilience is therefore not applicable to the proposal.

4. Efficiency

The proposal intends to maximise the usage of the property by converting the garage into a study and a laundry which is a normal structure on residential properties and therefore not applicable.

5. Good administration

The Overstrand Municipality has a credible track record of good administration regarding the method of public participation which invites and accepts comments from the public to make an informed decision as well as complying with the prescribed time frames pertaining to the processing of applications.

10. Need and Desirability

The proposal needs to be evaluated on the basis that the current situation is not utilizing the available space efficiently. The property owner had the vision to convert the garage into a study and a laundry room as there isn't space for a study or laundry in the dwelling house. The property owner has not parked their vehicles in the garage for quite some time and therefore decided to change the garage into a study and laundry room. Furthermore, there is already a double garage situated to the rear of the property. The parking of the property is therefore not compromised.

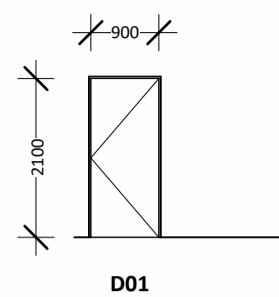
The study and laundry will not add any new land use rights as the proposed departure is set to be utilized for reading and laundry purposes. This proposal is in harmony with all relevant planning principles and forward planning documents and is therefore considered desirable from a town planning point of view.

11. Recommendations

Based on the abovementioned motivation, it is recommended that the following be approved:

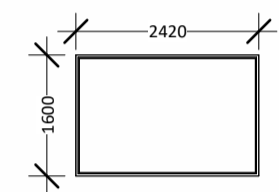
Application for departure in terms Section 16 (2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the following:

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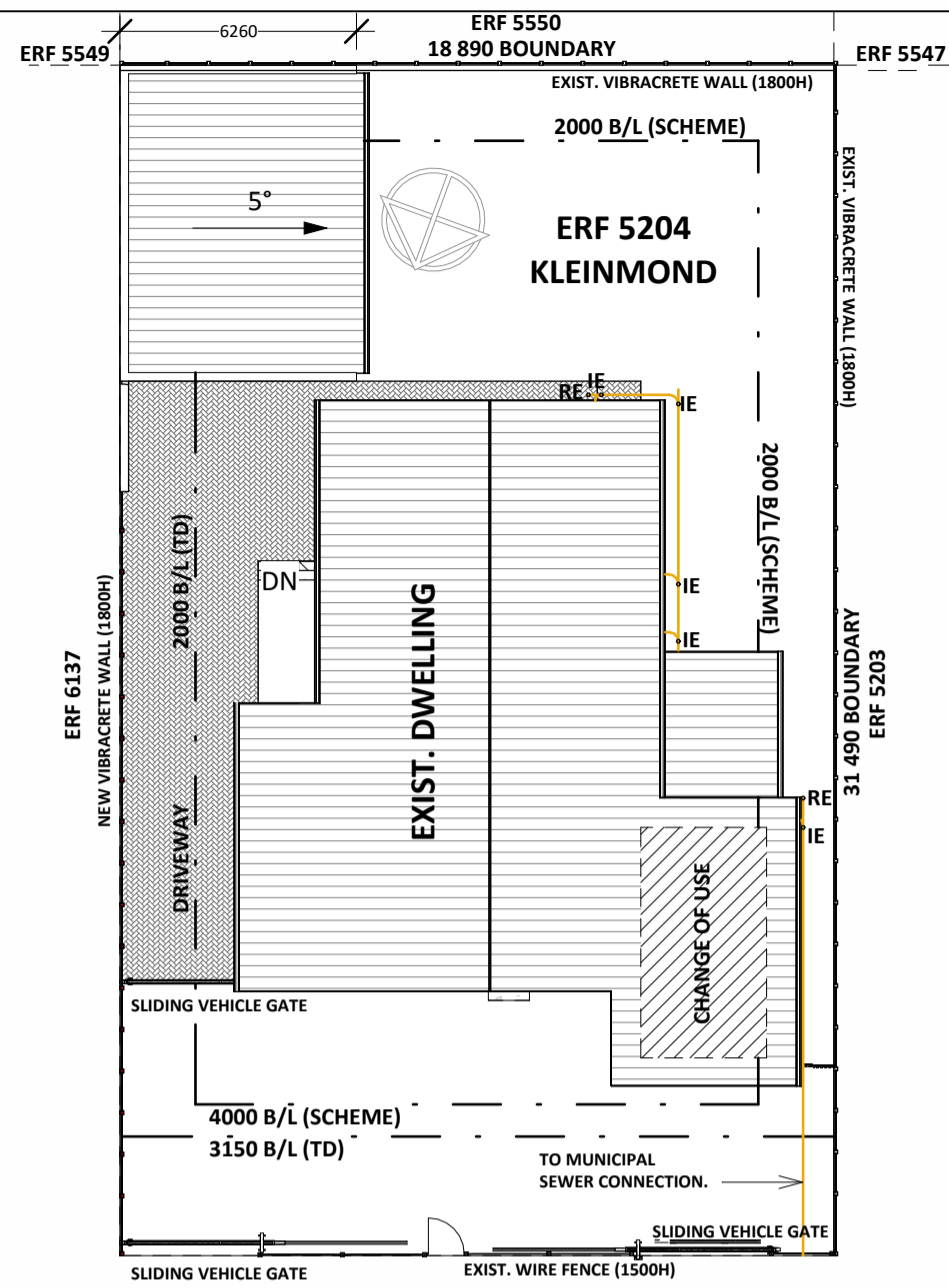
DOOR SCHEDULE

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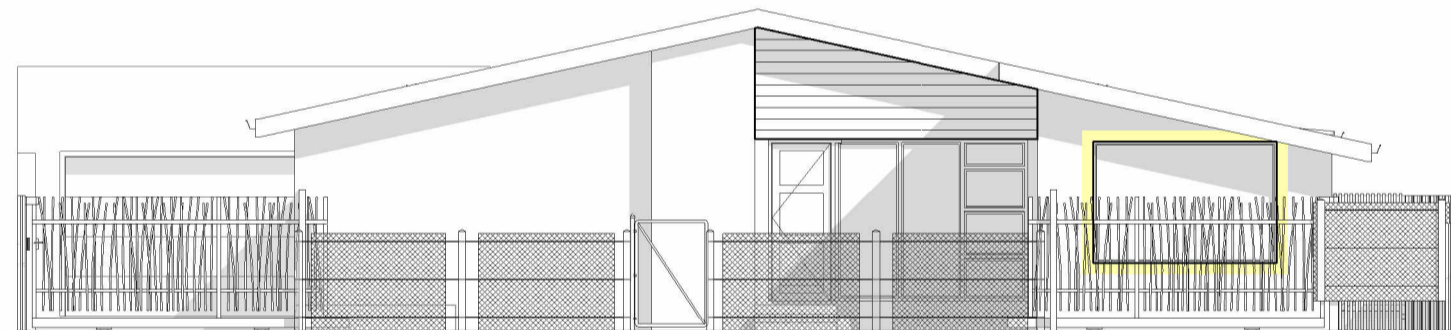
WINDOW SCHEDULE

1 : 100



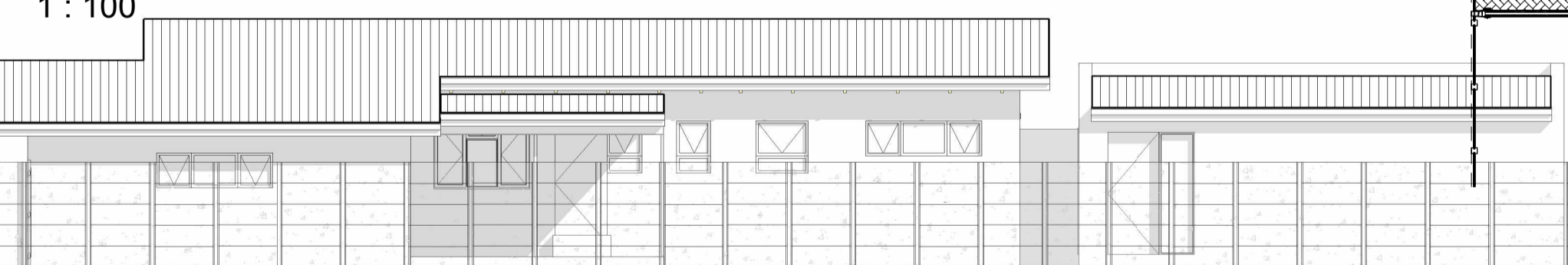
1 site & roof PLAN LAYOUT

1 : 200



6 NORTH ELEVATION

1 : 100



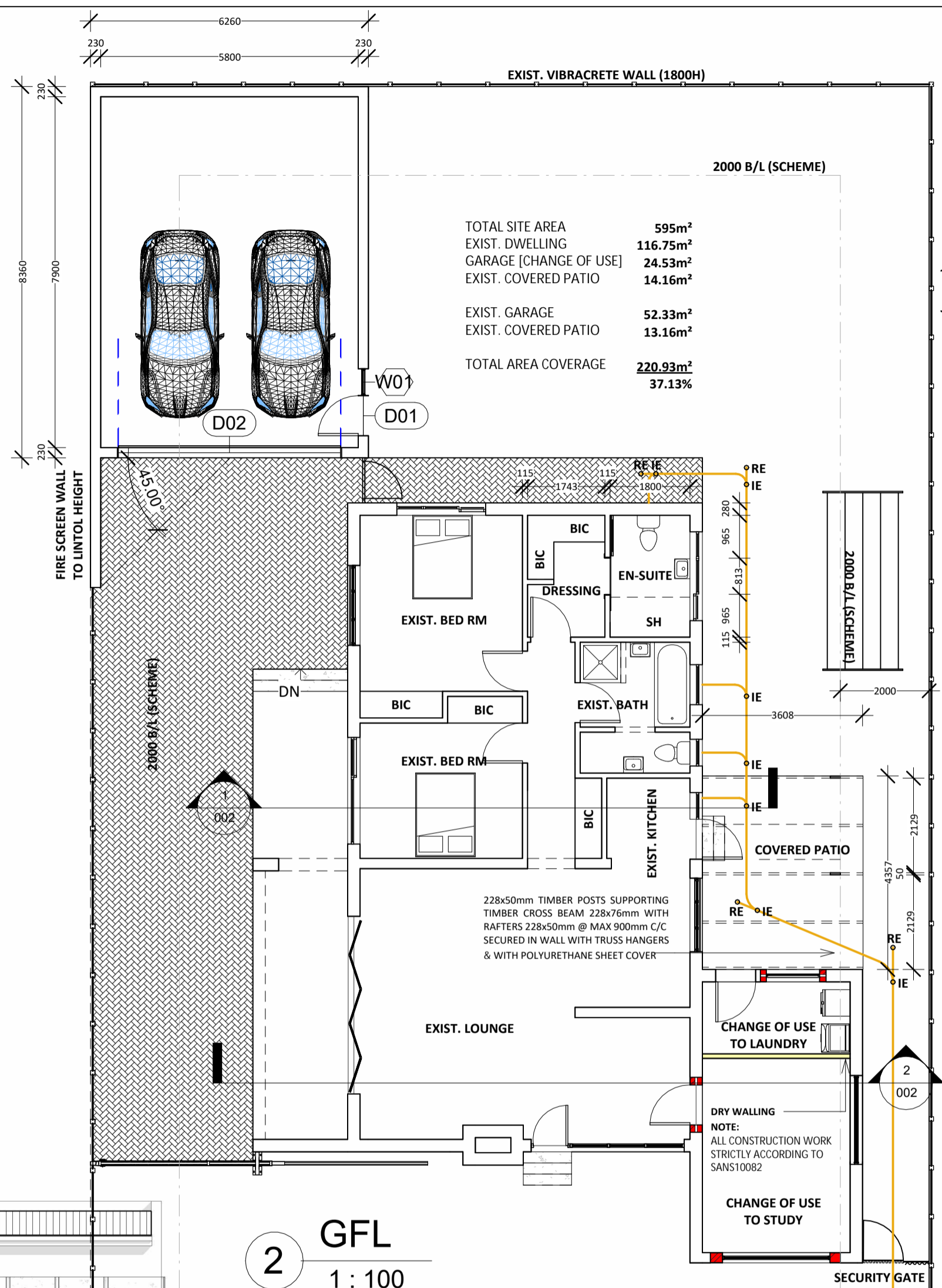
3 WEST ELEVATION

1 : 100



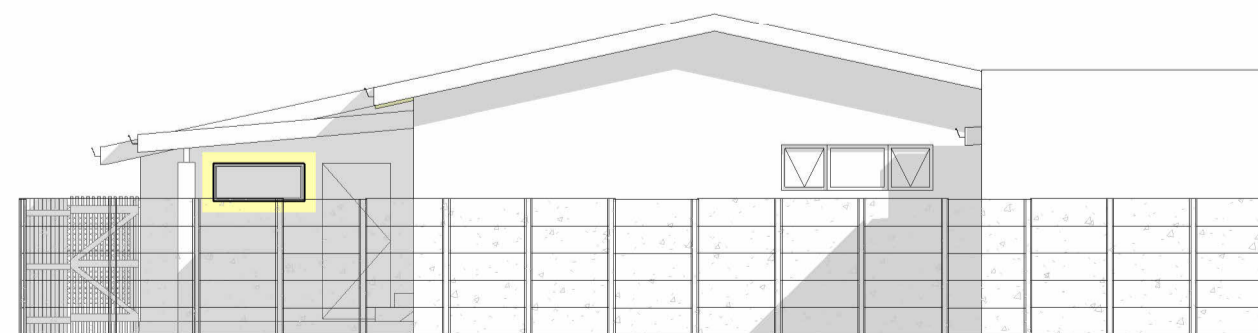
5 EAST ELEVATION

1 : 100



2 GFL

1 : 100



4 SOUTH ELEVATION

1 : 100

- #### GENERAL NOTES
- GENERAL**
 - All levels, dimensions, number of steps, etc. to be checked on site before building work commences.
 - All building work according to N.B.R. Use given dimensions rather than scaling from plan.
 - All building material approved S.A.B.S. or similar.
 - D.P.C. to be built-in under all walls and flooring.
 - Minimum 3% cross ventilation in habitable rooms. Ventilation bricks optional.
 - The builder should contact the architect immediately regarding any discrepancy.
 - The builder should familiarise himself properly of all detail on the plan as well as on any engineering drawings.
 - All materials to be installed according to manufacturer's specs.
 - All fire proof internal doors to comply with SABS 1253 (Code E).
 - All glazing acc to AAAMSA guidelines, SANS 10400 Part N, SANS10440 (safety glass) & SANS1263.
 - All hot water installations to comply with SANS 1307 (Domestic solar water heaters), SANS 10106 (Installation, maintenance, repair & replacement of domestic solar water heating systems), SANS 10254 (Installation, maintenance repair & replacement of fixed electric storage water heating systems) & SANS 10252 (Water supply and drainage for buildings).
 - STRUCTURAL WORK**
 - All structural floors, beams and foundations to engineer's details.
 - FOUNDATIONS**
 - Strip foundations (800x250mm) with Ref 345 steel mesh under external cavity walls acc. to engineer.
 - All 115 & 230mm internal load bearing wall slabs thickened to 250mm.
 - Mixture of 1:3:6 min 25Mpa compressive strength after 28 days.
 - Steel reinforcement acc. to engineer's specifications.
 - Retaining walls & footings to engineer's detail & drawings.
 - FLOOR**
 - Slab to be 100mm minimum with 50mm screed, cast on 250µ DPC, spread over well compacted filling.
 - Mixture of 1:4:5, minimum 15MPa compressive strength after 28 days.
 - Steel reinforcement mesh in floor slab where unstable soil conditions occur (acc. to Engineer).
 - WALLS**
 - All exterior walls to be 280mm cavity with clay brick.
 - External walls to be bag plastered & painted as per owner's specification.
 - Clay bricks as per owner's specification (unless otherwise specified).
 - Conduits to be provided in walls where TV & telephone points are required.
 - Brick force minimum 2/m².
 - ROOF CONSTRUCTION [MAIN PITCHED ROOF]**
 - Timber trusses by registered truss company @ 12° gradient & ±900mm c/c distances with FC sheets, designed & fixed acc. to manufacturer's specifications.
 - Supplied by specialist roofing company or by rational design acc. to engineer.
 - Waterproofing by specialists.
 - Aluminum gutters & downpipes all round.
 - Sisalation heat insulation under all roof sheets.
 - All structural work designed, approved & erected by registered professional.
 - ROOF CONSTRUCTION [MONO PITCHED ROOFS WHERE APPLICABLE]**
 - Timber rafters (228x76mm) by registered truss company @ 5° gradient & ±900mm c/c distances with metal sheets, designed & fixed acc. to manufacturer's specifications.
 - Supplied by specialist roofing company.
 - Waterproofing by specialists.
 - Aluminum gutters & downpipes all round.
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 - ELECTRICIAN**
 - Electrician to be registered & final connection to be accompanied by a certificate of completion.

die ontwerp-ateljee

SACAP Reg. No. PAD21 20

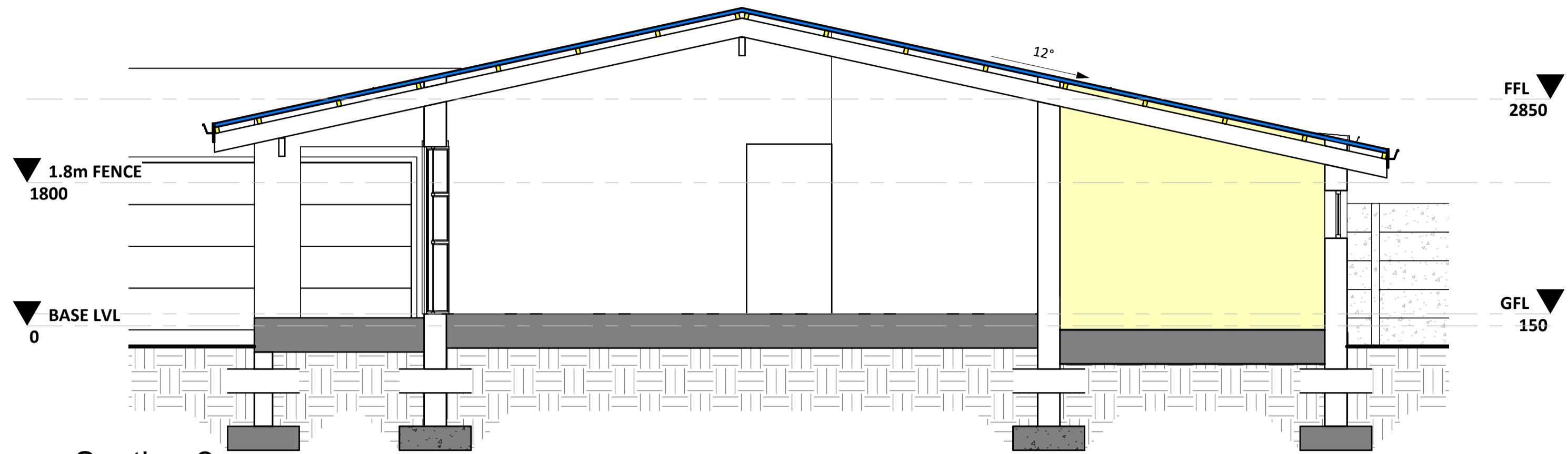
Architectural Drafting Services
082 410-5564 / (028) 271-3143
daniel.jz@ontwerp-ateljee.co.za

PROFESSIONAL ARCHITECTURAL DRAUGHTSPERSON

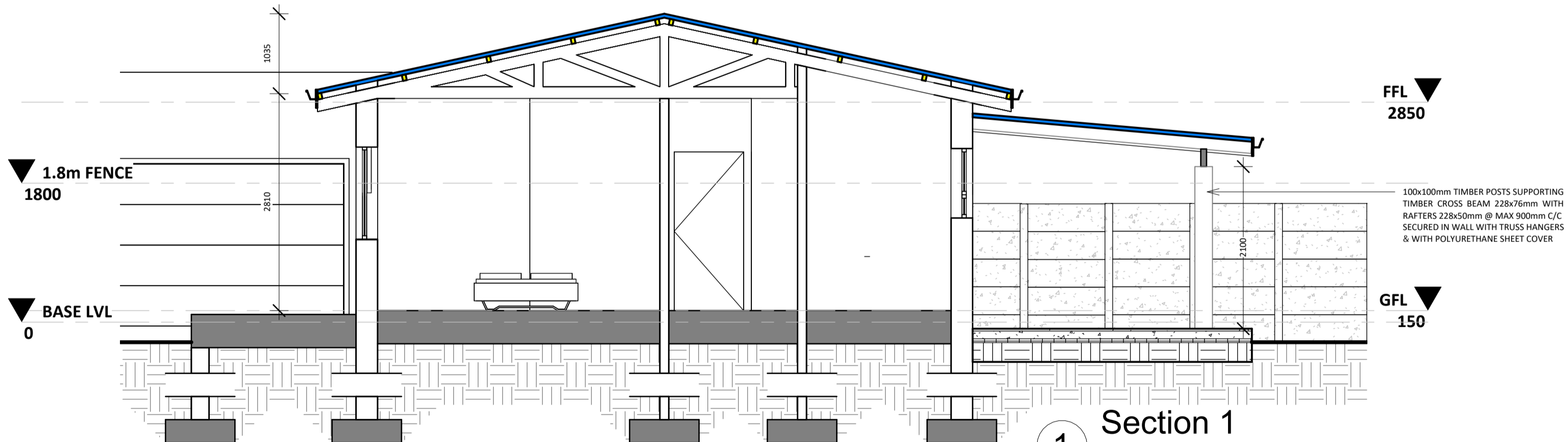
DANIËL JACOBUS VAN ZYL

15:58 PM (Africa/Johannesburg) on 10 Aug 2022

CLIENT			
PENGELLEY			
PROJECT			
ERF 5204			
23 DORINGBOOM AVE KLEINMOND			
SHEET NAME			
SITE & GFL & ELEVATION			
DRAWING NO		SHEET NO	
240701		001	
SCALE	DATE	DRAWN BY	CHECKED
As indicated	2024-09-30	JCK	DJvZ
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2 Section 2
1 : 50



1 Section 1
1 : 50

GENERAL NOTES

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 - Timber trusses by registered truss company @ 12° gradient & ±900mm c/c distances with FC sheets, designed & fixed acc. to manufacturer's specifications.
 - Supplied by specialist roofing company or by rational design acc. to engineer.
 - Waterproofing by specialists.
 - Aluminum gutters & downpipes all round.
 - Sisalation heat insulation under all roof sheets.
 - All structural work designed, approved & erected by registered professional.
7. ROOF CONSTRUCTION [MONO PITCHED ROOFS WHERE APPLICABLE]
 - Timber rafters (228x76mm) by registered truss company @ 5° gradient & ±900mm c/c distances with metal sheets, designed & fixed acc. to manufacturer's specifications.
 - Supplied by specialist roofing company.
 - Waterproofing by specialists.
 - Aluminum gutters & downpipes all round.
 - Sisalation heat insulation under all roof sheets.
 - All structural work designed, approved & erected by registered professional.
8. ELECTRICIAN
 - Electrician to be registered & final connection to be accompanied by a certificate of completion.

die ontwerp-ateljee

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PROFESSIONAL ARCHITECTURAL
DRAUGHTSPERSON

DANIËL JACOBUS VAN ZYL

15:58 PM (Africa/Johannesburg) on 10 Aug 2022

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SHEET NAME			
SECTIONS			
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240701		002	
SCALE	DATE	DRAWN BY	CHECKED
1 : 50	2024-09-30	JCK	DJvZ
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