



ERF 8717, 3 KORT STREET, KLEINMOND: APPLICATION FOR DEPARTURE: JPJ DESIGNS ON BEHALF OF MONT LOUIS INVESTMENTS PTY LTD

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) to relax the lateral and rear building lines from 2m to 0m and 1m respectively to accommodate a proposed new garage.

Full detail regarding the proposal is available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning at 16 Paterson Street, Hermanus, and at the Kleinmond Library, 5th 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 / (f) 0283132093 / (e) loretta@overstrand.gov.za) on or before **19 April 2024**, 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 Planning Department where a municipal official will assist them in order to formalize their comment.

ERF 8717, KORTSTRAAT 3, KLEINMOND: AANSOEK OM AFWYKING: JPJ DESIGNS NAMENS MONT LOUIS INVESTMENTS PTY LTD

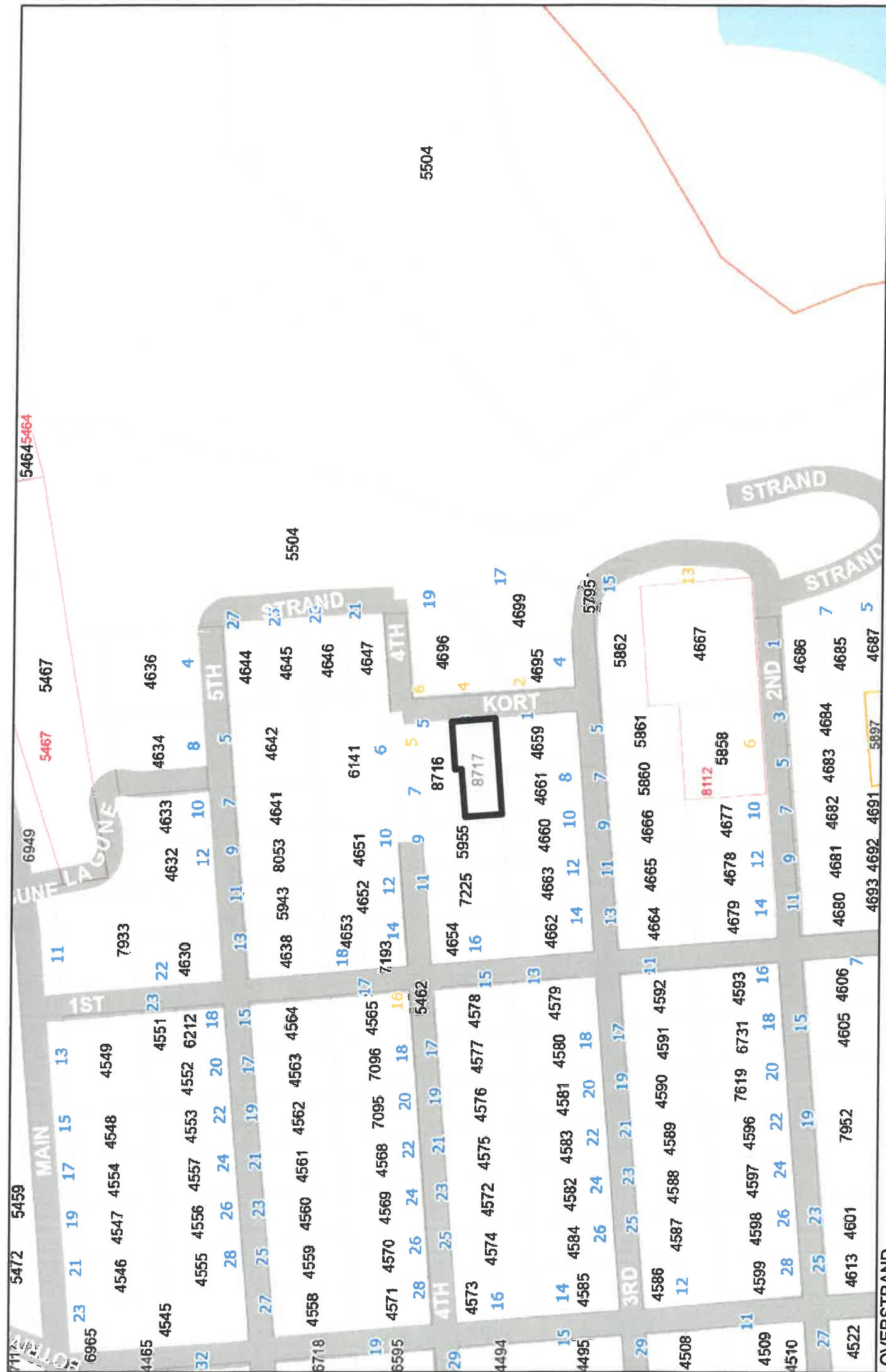
Kennis word hiermee gegee ingevolge Artikel 48, van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) dat 'n aansoek om afwyking ingevolge Artikel 16(2)(b) ontvang is om die sy- en agterboulyne vanaf 2m tot onderskeidelik 0m en 1m te verslap om 'n voorgestelde nuwe motorhuis te akkommodeer.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weekdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus en die Kleinmond Biblioteek, 5de Laan, 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 / (f) 0283132093 / (e) loretta@overstrand.gov.za) voor of op **19 April 2024**, 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 Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

ISIZA 8717, 3 KORT STREET, KLEINMOND: ISICELO SOPHAMBUKO: JPJ DESIGNS EGAMENI LE-MONT LOUIS INVESTMENTS PTY LTD

Isaziso sinikwe ngowemiqathango yeCandelo 48 loMthetho oLungisiweyo kaMasipala wase-Overstrand ongoCwangciso lokuSetyenziswa koMhlaba kaMasipala, 2020 (uMthetho kaMasipala) sokokuba isicelo sifunyenwe sokuphambuka ngokwemiqathango yeCandelo 16(2)(b) sokunyenysiswa komda osecaleni nongasemva wesakhiwo ukususela kwi-2m ukuya kwi-0m kunye ne-1m ngokulandelelana ukulungiselela ulwakhiwo lwegaraji olucetywayo.

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ngeentsuku zomsebenzi phakathi kweyure-08:00 ne-16:30 kwiSebe: Town Planning, Paterson Street, Hermanus nakwiThala leeNcwadi laseKleinmond, 5th Avenue, eKleinmond. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 alo Mthetho kamasipala uxeliweyo zithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) ngomhla okanye ngaphambi komhla wama-**19 ku-Epreli 2024**, unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuza into malunga nesi saziso ungafonela **Nksk. H van der Stoep** kule nombolo yomnxeba 028-313 8900. UMasipala angala ukuzamkela izimvo ezifike emva komhla wokuvalwa. Nabani na ongakwaziyo ukufunda okanye ukubhala makaye kwiSebe loYilo lweDolophu apho igosa likamasipala liya kumncedisa azibhale izimvo zakhe.





Permanent Departure Application Erf 8717,4 Kort Street, Kleinmond

Overstrand Municipality

jpdesignsgb@gbwireless.co.za

18 January 2024, Erf 8717, Kleinmond

19 JAN 2024

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1. INTRODUCTION

The owner of ERF 8717 KLEINMOND, Mont Louis Investments PTY (Ltd) has appointed JPJ DESIGNS to submit a land use application to the Overstrand Local Municipality to obtain the necessary land use rights and apply for permanent departures on new additions. A power of attorney letter is attached as Annexure - B2 and CIPC records as Annexure - B3.

2. APPLICATION

Application is hereby made:

- 2.1 For an encroachment of the lateral building line (north) to 0,00m in lieu of 2.00m adjacent to Erf 8716 to allow for the erection of a new garage.
- 2.2 For an encroachment of the rear building line (west) to 1,00m in lieu of 2.00m adjacent to Erf 5955 to allow for the erection of a new garage and storage area.
- 2.3 For a relaxation of the Zoning Scheme parameters pertaining to encroachment of building lines as per Chapter 16.1.1 c(iv); where the lateral/rear boundary of the property is less than 19,5m in width, the structure will have a maximum width of 6,5m on the rear boundary.

3. OVERSTRAND ZONING SCHEME

ERF 8717 is zoned Single **Residential Zone 1 Conventional Housing (SR1)**

The purpose of the **SR1 Zone** is to provide for predominantly single-family dwelling houses and additional use rights in low-to medium-density residential neighborhoods, whether these incorporate small or large erven. Limited employment and additional accommodation opportunities are possible as primary or consent uses, provided that the impacts of such uses do not adversely affect the surrounding residential environment.

The following use restrictions apply to a **SR1 Zone** properties:

Primary use rights are dwelling house, guest rooms, home occupation, second dwelling unit and day care centre

Consent use rights are, place of instruction, place of worship, house shop, institution, creche, green house, residential building, and tourist accommodation

4. TITLE DEED

ERF 8717 is held under Title Deed T 37855/2023. A copy of the Title Deed is attached as Annexure - B1 for the Council's records.

There are no bonds registered against ERF 8717, Kleinmond.

5. PROPERTY & LOCATION

The property is located (Annexure A1) within the jurisdictional area of Kleinmond. The property is located at 3 Kort Street Kleinmond. The individual property cover an area of approximately 595 m² and accommodates a dwelling without any outbuildings or garages.

The house on ERF 8717 was built in the 1970's by the previous owners. The house is occupied and used as single residential dwelling. Some additions/renovations were made to the original buildings as was approved by the local authority to the best of our knowledge.

Annexure - A1 Locality



6. EXISTING & PROPOSED DEVELOPMENT

ERF 8717

The existing dwelling on ERF 8717 has been utilized as a dwelling house since the early 1970's

All relevant building plans were approved, and the building erected by the previous owners.

It is now the owner's intention to do additions to the dwelling.

The house consists of 4 bedrooms, 2 en-suite bathrooms, 1 full bathroom together with the facilities normally associated with a dwelling, namely living areas, kitchen, laundry etc.

Changes to the existing dwelling as per attached building plans Annexure - A2 is planned which includes the following:

- Interior alterations within the existing footprint of the dwelling to accommodate a laundry
- Interior alterations to the existing braai area to accommodate a servant's lounge and bedroom
- The existing open BBQ area and yard walls to be demolished to the rear of the property
- A new garage to the rear of the property connected to the house with a concrete slab from the first floor
- The single garage door to be used for trailer parking/storage and the area under the slab for a boat/caravan parking space
- Additions to allow for a dressing room and en-suite bathroom to the rear bedroom on the first floor
- Additions to incorporate an entertainment area and interior braai area

7. SERVICES AND INFRASTRUCTURE

The property is currently connected to the local authority service infrastructure. No additional services will be required to use the property therefore no additional impact will be created on the service infrastructure.

8. ACCESS AND PARKING PROVISION

ERF 8717

The property is directly accessed from Kort Street and access to the new garages is possible through the driveway. A total of two parking bays are sufficient in this application, although there are more parking spaces available.

9. PLANNING PRINCIPLES

The planning principles of spatial justice, spacial sustainability, efficiency, and spatial resilience of this application can be described as follows:

Spacial Justice

The permanent departure application is in line with the current land use in the Kleinmond area. The proposed permanent departure will allow the dwelling to be directly accessible for secure parking through the new garages and have sufficient space on the property for entertainment. Other options for erecting garages are limited on this property due to the current dwelling location and the fact that the property was recently consolidated and sub divided within the set parameters of the zoning regulations

Spatial sustainability

The permanent departure application is in line with the current character of the area and will have no impact on the

conservation worthy areas within Kleinmond. Spatially the land use and permanent departure will be in line with the current character of Kleinmond and the surrounding properties of this area.

Efficiency

The land use and permanent departure will promote the optimum use of the properties within the developed residential area. The remainder of the building lines will not be encroached towards the street elevation ensuring the visual impact to be minimal

Spatial Resilience

In our opinion the principle of Spatial Resilience is not applicable in this application.

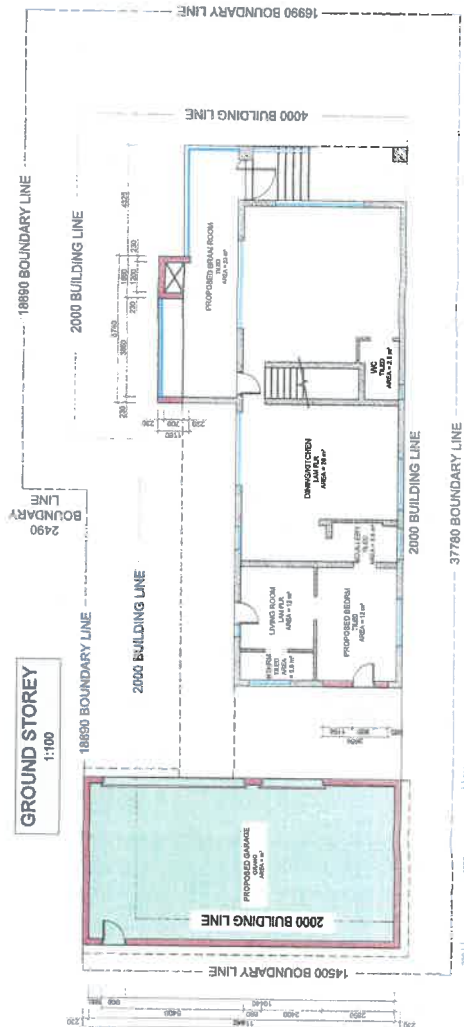
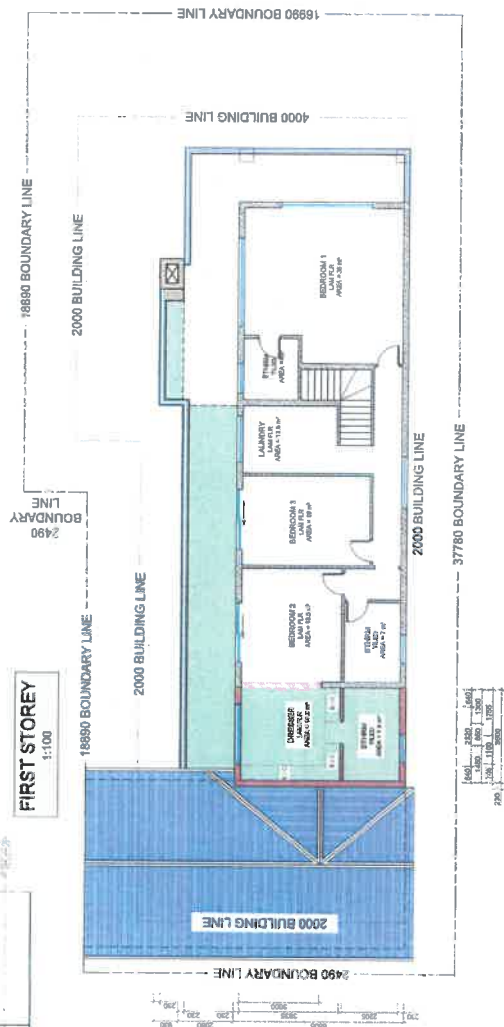
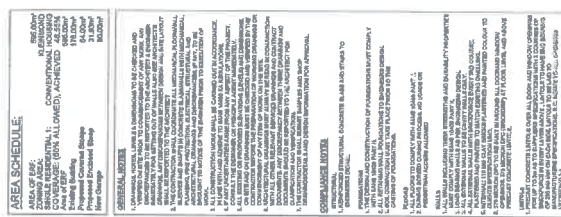
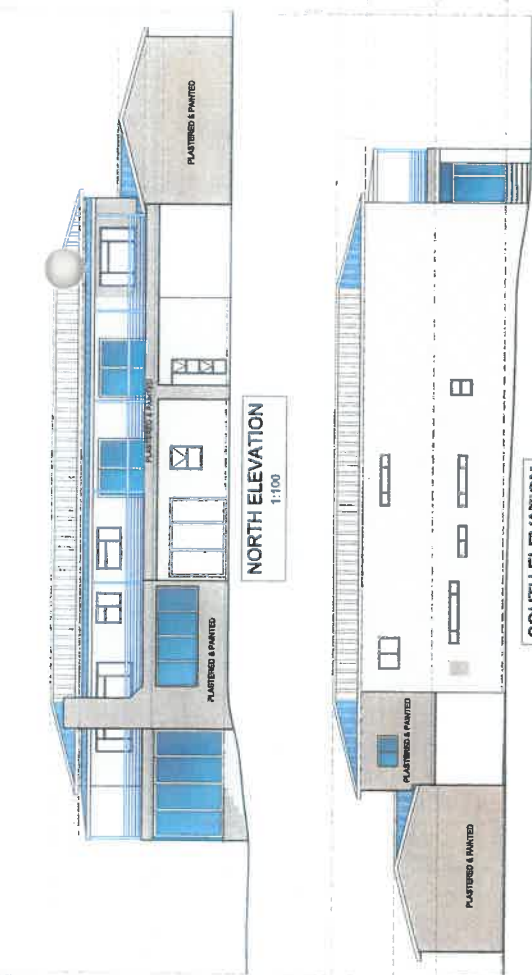
From the evaluation of this application the proposed development can be considered as sustainable, and it also satisfies the desirability criteria as set out above. It also will have no significant impact on the surrounding properties as the application is in line with the policies for this area.

10. MOTIVATION

- The development can be considered to be of an acceptable scale and will not compete with or be to the detriment of the existing properties or any adjacent properties
- The encroachment of the rear building line by 1.00m will leave adequate space for movement and maintenance of the remainder of this area
- The primary use of the property will remain residential and the residential atmosphere be maintained
- The facility will be accommodated to the rear of an existing structure therefore a smaller and acceptable change in the visual impact of the property
- The traffic impact to be of little influence as the existing traffic in Kort Street remains constant in this one-way street and the entrance to Erf 8717 is currently in use
- Similar applications are regularly approved by the local authority, and we are of the opinion that this application complies with the municipal regulations and will not negatively impact on the adjacent landowners or the neighborhood.

11. CONCLUSION

We have shown in this report that the proposed Permanent Departure is desirable, in line with policy and unlikely to have any negative impact on surrounding property owners. The property can now be utilized in its full potential within its own demarcated erf boundary. It is of the considered opinion that the proposed development will allow existing landowners the opportunity to use their property to its full potential without having a negative impact on the environment, the abutting landowners, or the general public. Therefore, we request that the local Municipal Council, the Department of Environmental Affairs and Development Planning as well as all relevant Government Departments and parties involved in the decision-making process to find this development desirable and that the application be approved.



JPJ DESIGNS
HELDERBERG

[illegible][illegible]

: MONT LOUIS INVESTMENTS PTY (LTD)
 : 4717
 : 4 Kot Street
 : Mairland

Project Description	Project Application	Project Number	Project Date	Project Status	Project Type
North Stage	2007/11/23	2007-11-23	1 of 1	Land Use Management	