

**MUNISIPALITEIT OVERSTRAND  
ERF 395, RIDGEWEG 23, PEARLY  
BEACH: AANSOEK OM OPHEFFING  
VAN BEPERKENDE  
TITELAKTEVOORWAARDE,  
AFWYKING EN BEPALING VAN 'N  
ADMINISTRATIEWE BOETE: MNRE  
PLAN ACTIVE STAD- EN  
STREEKSBEPLANNERS NAMENS JJ  
NELL**

Kennis word hiermee gee ingevolge Artikel 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) van die volgende aansoeke van toepassing op bogenoemde erf, naamlik:

- ❖ opheffing van beperkende titelaktevoorwaardes ingevolge Artikel 16(2)(f) van die Verordening, om beperkende titelaktevoorwaarde, 4.(d) soos opgevat in Titelakte Nr. T12839/2016 te verwyder, ten einde die bestaande strukture te akkommodeer.
- ❖ afwyking ingevolge Artikel 16(2)(b) van die Verordening vir die volgende:
  - verslapping van die oostelike lateraleboulyn vanaf 2m na 0m om die bestaande skadunet-motorafdak te akkommodeer, en
  - verslapping van die westelike lateraleboulyn vanaf 2m na 1.907m en 1.325m, ten einde die bestaande strukture as deel van die hoofwoning te akkommodeer.
- ❖ bepaling van 'n administratiewe boete ingevolge Artikel 16(2)(q) van die Verordening, ten einde die bestaande tweede woning as die hoofwoning, sowel as die skadunet-motorafdakke en twee wendyhuise te wettig.

Volle besonderhede rakende die voorstel hierbo is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus en Gansbaai Biblioteek, Hoofweg, Gansbaai. Enige kommentare moet skriftelik wees, u naam, adres, en kontakbesonderhede bevat, sowel as u belang in die aansoek en die redes vir kommentaar, welke kommentaar die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) moet bereik voor of op **21 Oktober 2022**. Telefoniese navrae kan gerig word aan die **Senior Stadsbeplanner, Mnr SW van der Merwe** by 028 313 8900. Die Munisipaliteit mag weier om kommentare te aanvaar na die sluitingsdatum. Enige persone wat nie kan lees of skryf nie kan bogenoemde toepaslike Munisipale Departement besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formuleer.

Munisipale Bestuurder, Overstrand Munisipaliteit, Posbus 20, **HERMANUS**, 7200

*Munisipale Kennisgewing Nr.100/2022*

**OVERSTRAND MUNICIPALITY  
ERF 395, 23 RIDGE WAY, PEARLY  
BEACH: APPLICATION FOR REMOVAL  
OF RESTRICTIVE TITLE DEED  
CONDITIONS, DEPARTURE AND  
DETERMINATION OF AN  
ADMINISTRATIVE PENALTY: MESSRS  
PLAN ACTIVE TOWN AND REGIONAL  
PLANNERS ON BEHALF OF JJ NELL**

Notice is hereby given in terms of Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) of the following applications applicable to the abovementioned erf, namely:

- ❖ removal of restrictive title deed conditions in terms of Section 16(2)(f) of the By-Law, to remove restrictive title deed condition 4(d) as contained in Title Deed No. T12839/2016 of Erf 395, Pearly Beach, in order to accommodate the existing structures.
- ❖ departure in terms of Section 16(2)(b) of the By-Law for the following:
  - relaxation of the eastern lateral building line from 2m to 0m to accommodate the existing shade net carport, and
  - relaxation of the western lateral building line from 2m to 1.907m and 1.325m, in order to accommodate the existing structures as part of the main dwelling.
- ❖ determination of an administrative penalty in terms of Section 16(2)(q) of the By-law, in order to legalize the existing second residence as the main residence, as well as the shade net carports and two wendy houses.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, 16 Paterson Street, Hermanus and Gansbaai Library, Main Road, Gansbaai. Any comment must be in writing, quoting your name, address and contact details, as well as your interest in the application and the reasons for comment, which comment must reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) on or before **21 October 2022**. Telephonic enquiries can be made to the **Senior Town Planner, Mr SW van der Merwe** at 0283138900. The Municipality may refuse to accept comments received after the closing date. Any persons who cannot read or write may visit the above appropriate Municipal Department where a Municipal official will assist them in formulating their comment.

Municipal Manager, Overstrand Municipality, P.O. Box 20, **HERMANUS**, 7200

*Municipal Notice No. 100/2022*

**UMASIPALA WASEOVERSTRAND  
ISIZA ESINGUERF 395, 23 RIDGE WAY,  
PEARLY BEACH: ISICELO  
SOKUSHENXISA IIMEKO EZIYIMIQOBO  
KWITAYITILE YOBUNINI,  
UKWAHLULAHLULA NENGIKHELELO  
YEPENALTHI YOBHALISO: MESSRS  
PLAN ACTIVE TOWN AND REGIONAL  
PLANNERS EGAMENI LIKAJJ NELL**

Kukhutshwe isaziso esimayela nemiba yeSoloty lama-48 loMthethwana kaMasipala waseOverstrand ngeZicwangciso Zokusetyenziswa koMhlaba ku2020 (UMthethwana) esithi kufunyenwe isicelo esibenza kwisiza esiyi esechazwe ngentla, eHermanus, simayela nale miba ilandelayo:

- ❖ ukushenxiswa kweemeko eziyimiqobo kwitayitile yobunini ngokwemiba yeSoloty le16(2)(f) loMthethwana, ukushenxisa iimeko eziyimiqobo kwitayitile yobunini 4(d) njengoko iqulathwe kwiTayitile yobuni eyaziwa ngeTitle Deed No. T12839/2016 uErf 395, Pearly Beach, ukuze nikwazi ukulungiselela izakhiwo esele zikhona.
- ❖ Ukwahlula ngokwemiba yeSoloty le16(2)(b)loMthethwana ngokwemiba elandelayo:
  - ukunyenya umgca wesakhiwo omelene necala elisempuma omelene nomgca wesakhiwo ukusuka kwiimitha ezi2m ukuya kwiimitha ezingu-0m ukulungiselela indawo eyenza umthunzi nakhapoti,
  - nokunyenya komgca wesakhiwo omelene necala lesakhiwo elisentshona ukusuka kwiimitha ezi2m ukuya kwiimitha ezi-1.907m nezi-1.325m, ukuze zikwazi ukulungiselela izakhiwo esizikhona njengexalenye yendawo yokuhlala oknaye inxalenye yendlu eseyikhona.
- ❖ ingqikelelo yephenalithi/omdlivo wobhaliso ngokwemiba yeSoloty le16(2)(q) loMthethwana, ukuze order kumiselwe ngokusemthethweni indawo tokuhlala esele ikhona kunye nenethi eyakha umthunzithe eyindawo yesibini yokuhlala nesele ikhona, kwakunye nenethi yokwenza umthunzi kwiikhapoti nezindlu zokudlala/zokugcina impahla ezimbini.

linkcukacha ezipheleleyo mayela nezi zindululo ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini ukusukela kwixesha eliphakathi kwentsimbi ye08:00 neye16:30 kwiSebe: Izicwangciso zeDolophu, 16 Paterson Street, Hermanus naseGansbaai Library, Main Road, Gansbaai. Naziphi na izimvo ezibhaliweyo zingangeniswa kwaMasipala kwa(16 Paterson Street, Hermanus / (f) 0283132093 / [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) ngomhla okanye ngaphambi komhla **21 uOctobha wamaku2022, uchaze igama lakho, idilesi yakho neenkukacha zakho, umdla wakho kwesi sicelo nezizathu zakho zokuhlomla. Imibuzo ngefowuni ingathunyelwa kuMchwangciso weDolophu Oyintloko, Mnu. S.W. na der Merwe** kwa028-3138900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokufunda. Nabani na ongakwazi ukufunda nokubhala angahambela kwiSebe leziCwangciso ngeDolophu apho igosa likamasipala liza kumnceda ukufaka izimvo zakhe ngokusemthethweni

Mlawuli kaMasipala, Masipala waseOverstrand, P.O. Box 20, **HERMANUS**, 7200

*Inothi kaMasipala Nomb. 100/2022*



Scale: NTS  
 Drawing Nr: pearty395i.dwg  
 Date: APRIL 2022

Plan Description:  
**LOCALITY MAP**

Property Description:  
**ERF 395  
 PEARLY BEACH**

All distances approximate  
 and subject to survey.  
 COPY RIGHT RESERVED

NOTES:  
 The site

**PLAn** Stads- en Streeksbeplanners  
 Town & Regional Planners

**PROPOSED DETERMINATION OF AN ADMINISTRATIVE  
PENALTY APPLICATION, DEPARTURE AND REMOVAL  
OF A RESTRICTIVE TITLE DEED CONDITION**

**ERF 395 PEARLY BEACH**

**DIVISION: CALEDON**

**OVERSTRAND MUNICIPALITY**

**MOTIVATION REPORT**



**1. BACKGROUND**

Plan Active Town & Regional Planners has been appointed by J.J. Nell, the owner of erf 395 Pearly Beach, to apply for the determination of an administrative penalty, departure and removal of a restrictive title deed condition of the subject property.

Erf 395 Pearly Beach is 930m<sup>2</sup> in extent and is held by title deed no. T12839/2016.

There are two existing dwellings (main dwelling and second dwelling), three shaded carports and two wendy houses situated on the subject property.

The subject property is in the process of being transferred. It is a condition of the offer to purchase that all structures on site must be in accordance with an approved building plan. The latest building plan was approved in 2017. The 2017 building plan indicates the extension of the dwelling in a southerly direction on the subject property. The property owner acted on the approved building plan but failed to construct the passage that was supposed to link the northern and southern sections of the proposed dwelling due to financial constraints at the time (and not willingly). As a result, the subject property is now developed with a main dwelling and a second dwelling. The property owner also constructed three shaded carports and two wendy houses without the necessary land use and building plan approvals.

The proposed new owners intend to link the two dwellings to create one main dwelling (as was the initial intent of the 2017 approved building plan). They want to retain all existing structures on the subject property. All other As Built unlawful structures will therefore also be addressed with this application (shadenet carports and wendy houses).

The As Built structures were surveyed to determine their positions on the subject property and the proposed site development plan was compiled accordingly. It was found that the western boundary wall was not constructed on the western erf boundary. The existing second dwelling was however off set from the boundary wall in the past, not knowing that the boundary wall was not constructed on the erf boundary. Hence this section of the existing second dwelling (proposed extended main dwelling) will encroach the western lateral building line.

This application is to address the unlawful structures and its uses and the proposed new (larger) main dwelling on the subject property.

## **2. APPLICATION DETAILS**

Application is made in terms of:

- Chapter 4, Section 16(2)(q) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the determination of an administrative penalty for the unlawful structures on erf 395 Pearly Beach;
- Chapter 4, Section 16(2)(b) of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020, for the departure from the Land Use Scheme Regulations' (2020) building lines and permanent departure from the provisions of the Overstrand Land Use Scheme (2020) of erf 395 Pearly Beach;
- Chapter 4, Section 16(2)(f) of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020, for the removal of a restrictive title deed condition of erf 395 Pearly Beach.

### **3. NEED AND DESIRABILITY**

#### **3.1 PROPERTY DESCRIPTION**

Erf 395 Pearly Beach is situated at 23 Ridge Way, Pearly Beach. Refer to the locality plan attached.

Erf 395 Pearly Beach is 930m<sup>2</sup> in extent and is held by title deed no. T12839/2016.

The subject property gently slopes from south to north and is characterized by residential structures (main dwelling; second dwelling with stoep; three shadenet carports; two wendy houses) and a garden area.

#### **3.2 ZONING**

Erf 395 Pearly Beach has the following land use rights:

<b>ERF NUMBER</b>	<b>ZONING</b>
Erf 395 Pearly Beach	Residential Zone 1: Single Residential

Surrounding properties are zoned for single residential and public road purposes.

#### **3.3 LAND USE**

There is an existing main dwelling, second dwelling with stoep, three shadenet carports, two wendy houses and a garden area on erf 395 Pearly Beach. The subject property is therefore used for single residential living purposes.

Land uses that surround the subject property are single residential dwellings, vacant erven and public roads.

### 3.4 PROPOSAL

The following is proposed:

1. The determination of an **administrative penalty** in terms of Chapter 4, Section 16(2)(q) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, to accommodate the As Built second dwelling (to be linked to the main dwelling to create one dwelling unit), three shadenet carports and two wendy houses on erf 395 Pearly Beach;
2. The **departure** of erf 395 Pearly Beach in terms of Chapter 4, Section 16(2)(b) of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020, to:
  - Relax the eastern lateral building line from 2m to 0m to accommodate the existing shadenet carport;
  - Relax the western lateral building line from 2m to 1,097m and 1,325m respectively to accommodate the conversion / change of use of the existing second dwelling to a main dwelling (unlawful second dwelling to be linked to the main dwelling to create one dwelling unit; proposed bedroom and en-suite bathroom to encroach building line);
  - Deviate from the provisions of Chapter 16.1.1.c)(iii) of the Overstrand Land Use Scheme (2020) to accommodate the As Built shadenet carport with a length of 11,71m that encroaches the 2m eastern lateral building line.
3. The **removal of a restrictive title deed condition** of erf 395 Pearly Beach in terms of Chapter 4, Section 16(2)(f) of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020, to remove condition C.4(d) on pages 2-3 of title deed no. T12839/2016 to:
  - accommodate the proposed main dwelling on the 1,097m and 1,325m western lateral building line in lieu of the 1,57m title deed lateral building line;
  - accommodate the As Built shadenet carport on the 0m eastern lateral building line in lieu of the 1,57m lateral building line.

### 3.4.1 Rectification of contravention

In terms of Chapter 5, Section 90(1) a person who is in contravention of the Municipal Planning Amended By-Law (2020), and submits an application to rectify the contravention, must apply to the Municipality for the determination of an administrative penalty, provided that the Municipality has not obtained and issued a demolition directive in terms of Section 85 in respect of the land or building or part thereof concerned.

As the application is for the rectification of a contravention of the By-Law (due to the unlawful second dwelling, shadenet carports and wendy houses not having the necessary land use and building plan approval), an application is submitted for the determination of an administrative penalty fee in terms of Chapter 4, Section 16(2)(q) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020. However, the Municipal Planning Tribunal (MPT) has the authority not to impose such a fee.

In terms of Section 90(3) of the MPBL, the MPT must at least consider the following factors when determining an appropriate administrative penalty:

- **The Nature, duration, gravity and extent of the contravention**

The property owners bought the subject property in 2016 with the intend to enlarge the existing dwelling as per the approved building plan. The latest building plan was approved in 2017 (copy of the latest approved building plan according to the architect and property owner is attached). The 2017 building plan indicates the extension of the dwelling in a southerly direction on the subject property. The previous owner acted on the approved building plan but, due to lack of funds (financial constraints due to their company being hijacked and then followed by Covid that worsened his financial burden) he failed to construct the passage (section of the new building) that was supposed to link the northern and southern sections of the proposed dwelling. Instead, the property is now (unintendedly) developed with a main dwelling and a second dwelling due to a lack of funds to complete the building work in line with the approved building plan. The residential structures on the subject property are therefore considered an incomplete building project, rather than intentionally deviating from the approved building plan.

The current property owner also constructed three shadenet carports and two wendy houses (around the same time in 2017 / 2018) without the necessary land use and building plan approvals.

The property is in the process of being sold. The proposed new owner intends to link the two dwellings to create one main dwelling unit (as was the initial intent of the 2017 approved building plan – copy attached). All other As Built unlawful structures will also be addressed with this application (shadenet carports and wendy houses).

The As Built structures were surveyed to determine their positions on the subject property and the proposed site development plan was compiled accordingly. It was found that the western boundary wall was not constructed on the western erf boundary. The existing second dwelling was however off set from the boundary wall in the past, not knowing that the boundary wall was not constructed on the erf boundary. Hence this section of the second dwelling / proposed main dwelling will encroach the western lateral building line.

The As Built second dwelling is  $\pm 50\text{m}^2$  (proposed bedroom no.3, en-suite bathroom and walk-in closet). The second dwelling currently consists of one bedroom with en-suite bathroom and an open plan living room with kitchenette (as per the approved 2017 building plan). The As Built stoep is  $\pm 36\text{m}^2$ . The layout of the structure was done as per the approved building plan, the structure was however never linked to the main dwelling (as explained above) and became a stand alone second dwelling unit.

There are two existing wendy houses on the subject property that the owner intends to retain. The wendy houses are positioned under the shadenet carports as indicated on the site development plan. The As Built wendy houses are used for storage purposes and has a total extent of  $\pm 30,87\text{m}^2$ . The wendy houses has been on the property for a few years (since 2017) and are not considered permanent structures. The property owner was therefore not aware that any approvals were required to accommodate the wendy houses at their current positions.

Three shadenet carports were constructed by the current owner. The owner was unaware that any approvals were required to accommodate the shadenet carports on the subject property. The shadenet carports have a total extent of  $\pm 142,57\text{m}^2$ .

The structures were constructed from April to September 2018. SABS approved bricks were used during the construction with cement cladding.

The position and nature of all As Built structures and the proposed uses thereof on the property are unobtrusive in nature and do not impact negatively on the surrounding properties, as no complaint from surrounding property owners has been received up to date. Building line departure applications to accommodate the existing second dwelling / proposed main dwelling and one of the shadenet carports are included in this application.

- **The conduct of the person involved in the contravention**

The current unlawful structures were placed on the site without prior approvals since the owner was unaware that the wendy houses and shadenet carports required land use and building plan permissions. The second dwelling unit / structure was constructed as per the layout of the approved building plan, the position thereof was however deviated from during construction (since they assumed the western boundary wall was constructed on the erf boundary, which is not the case) and the structure was not linked with the main dwelling structure with the passage as indicated on the approved building plan (due to insufficient funds to complete the project). The property is in the process of being sold and an approved building plan for all structures is a condition of sale. The property owner immediately appointed the relevant consultants once they were informed of the illegal structures to ensure that the structures are addressed with the land use application and the building plan submission to follow.

- **Whether the unlawful conduct was stopped**

The second dwelling with stoep, the two wendy houses and three shadenet carports already exist on the subject property. The owner now attempts to rectify the contravention by submitting the administration penalty application in order to legalise the position of the structure on the subject property.

- **A report by a quantity surveyor in matters of unauthorised building / construction**

If the Overstrand Municipality finds it necessary that an administrative penalty fee needs to be enforced for the unauthorised building works, we will submit a report from a quantity surveyor with reference to the unauthorised building works. The reason being that if there is a chance that no penalty fee is imposed the report from a quantity surveyor will be unnecessary at this stage.

The property owner confirmed that the cost of construction in 2018 was R308 000.

- **Whether a person involved in the contravention has previously contravened this By-Law or a previous planning law**

To the best knowledge of the applicant and as confirmed by the landowner, they have never previously contravened this By-Law or any other previous planning law.

- **Summary**

We appeal to the Overstrand Municipality to take into consideration that there is no impact of the existing second dwelling (to be linked to the main dwelling to create one main dwelling unit), wendy houses and shadenet carports on the surrounding area. It should also be considered that no complaints from surrounding properties have been submitted with regards to the unlawful structures. We therefore respectfully request that a minimal penalty fee not be imposed on the property owner for the reasons given above.

### **3.4.2 Departure (building line relaxations)**

The potential of the subject property is discussed in detail in *Section 3.5 Potential of the property*.

Firstly, the existing second dwelling encroaches on the subject property encroaches the 2m western lateral building lines. As previously explained, it was discovered

during the survey of the As Built structures on the property that the western boundary wall was not constructed on the western erf boundary. The existing second dwelling was however off set from the boundary wall during construction in the past, not knowing that the western boundary wall was not constructed on the erf boundary. Hence this section of the second dwelling / now proposed main dwelling encroaches the western lateral building line.

An application is submitted for a departure to:

- relax the western lateral building line from 2m to 1,097m and 1,325m respectively to accommodate the As built structure (bedroom no. 3 and en-suite bathroom) that will now be part of the proposed extended main dwelling.

A new walk-in closet will also be added to the southern section of the main dwelling (to the As Built second dwelling) and the internal layout of the structure will change. The structure will then be linked to the main dwelling with a new proposed addition (living area and entrance) as indicated on the site development plan. No new additions to extend and enlarge the the main dwelling will encroach the relevant zoning scheme and title deed building lines.

A small bathroom window will be added to the western wall of the structure currently positioned within the western lateral building line. The window is to ensure ventilation and light to the en-suite bathroom. The adjacent property to the west is currently a vacant portion of land, hence the placement of the window  $\pm 1$ m from the western boundary will have no impact on the direct neighbour. Since the window is placed at least 1m from the western erf boundary, it meets the standard window and door placement requirement for the consideration of structures that encroach the lateral building line.

Secondly, one of the existing shadenet carports is positioned within the 2m eastern lateral building line. As previously explained the shadenet carports were constructed unlawfully and the previous property owner was unaware that a land use and building plan approval applied to the construction of the shaded carports. The new property owner wants to retain all As Built structures on the subject property.

An application is submitted for a departure to:

- relax the eastern lateral building line from 2m to 0m to accommodate the As built shadenet carport.

The As built shadenet carport on the eastern erf boundary is used for the storage of vehicles. One of the wendy houses are also positioned under the existing carport. This carport exceeds the maximum length of 9m allowed for a carport that encroaches the lateral erf boundary. As a result an application is also submitted to deviate from Chapter 16.1.1.c)(iii) to accommodate the As Built carport with a length of 11,71m in lieu of the permissible 9m on the eastern lateral erf boundary. As indicated on the east elevation plan the height of the existing As Built shaded carport on the eastern erf boundary is 3,049m measure from the natural ground level. The height is therefore within the maximum allowable height for the consideration of the As Built carport on the 0m eastern erf boundary.

An encroachment plan is included in the application that indicates the existing encroachments in pink.

### 3.4.3 General

As previously mentioned in this report the new property owner intends to link the existing main dwelling and second dwelling on the subject property to create one larger main dwelling unit. This proposal is not considered an original proposal for the subject property since the approved building plan indicated a similar main dwelling. The previous owner however deviated from the approved building plan.

All new additions and alterations will be done in accordance with the Land Use Scheme Regulations. The departure and removal of a restrictive title deed condition application is to address the As Built structures only. A new swimming pool and deck are also proposed and meet the Land Use Scheme Regulations' requirements.

The existing and new structures meet the maximum height requirement of 8m from base level to top of roof as indicated on the elevation plans.

The proposed application has a nominal impact on the character and property values of the surrounding properties. The position and nature of the renovated main dwelling and shadenet carports on the property are unobtrusive in nature and do not impact negatively on the surrounding properties. No complaints from surrounding property owners concerning the As Built structures and the uses thereof have been

received up to date.

The existing As Built structures and the incorporation thereof into the new renovated dwelling do not create an infringement to any passing traffic or public activity due to the position of the structures on the site, the use of the structures that encroaches the eastern and western lateral building lines, etc.

It is submitted that the massing and height of the existing structures and proposed renovated main dwelling are and will be compatible with the character of the area, regardless of the departures being applied for.

The zoning of erf 395 Pearly Beach will remain unchanged (Residential Zone I: Single Residential) as well as the primary land use (single residential purposes).

The area schedule and coverage for the subject property are as follows:

<b>SCHEDULE OF RIGHTS</b>	
<b>PROPERTY DESCRIPTION</b>	
Erf Number:	395
Site Area:	Pearly Beach
Erf size:	930m <sup>2</sup>
Owner:	JJ NELL
<b>ZONING INFORMATION</b>	
Town planning Scheme:	Overstrand
Use Zone:	Residential Zone 1: Single Residential
<b>DEVELOPMENT CONTROL MEASURES</b>	
Existing Dwelling:	76.50m <sup>2</sup>
New Addition:	158.21m <sup>2</sup>
Open Stoeps:	29.95m <sup>2</sup>
Shadenet Carports:	142.57m <sup>2</sup>
Wendy Storage:	30.87m <sup>2</sup>
TOTAL:	438.10m <sup>2</sup>
Coverage:	40.57% (377.28m <sup>2</sup> )

A maximum coverage of 50% is allowed on SR1 zoned properties. The total coverage of ±40,57% does not exceed the maximum permissible coverage of 50% for SR1 zoned properties.

The removal of the restrictive title deed condition application is addressed in Section 3.14.

It is submitted that the proposal is compatible with the character of the area, do not impact negatively on the rights of anyone else and that no good reason exists for not approving this application.

When considering the proposed deviations, the point of departure is the need to discourage the phenomenon of urban sprawl and to encourage densification and more compact towns and cities, all of which relates to more responsible resource use or sustainable development.

The proposed departure and removal of a restrictive title deed condition of erf 395 Pearly Beach are not in contrast to the existing land use tendencies in the surrounding environment and we therefore do not foresee any problems with the proposed application.

### **3.5 THE POTENTIAL OF THE PROPERTY**

The zoning and primary land use of the subject property will remain unchanged. The location of the subject property within a single residential area allows the property to be developed for low impact land uses only in future (such as bed-and-breakfast establishments, day care, guest house and home occupation uses). The proposed departure and removal of restrictive title deed conditions will not hinder any possible future land use applications on erf 395 Pearly Beach.

The As Built second dwelling to be incorporated into the extended main will continue to be used as habitable area (as per the existing use of the second dwelling) and the wendy houses and shadenet carports for storage purposes. All structures will be single storey height level. Only one window is proposed within the western common boundary building line (second dwelling that now becomes part of the extended main dwelling) and the window is placed at least 1m from the western erf boundary. The gentle slope of the property in a northerly direction favours the position of the As Built shadenet carport on the eastern erf boundary.

The scale of the surrounding built environment, the low impact on the streetscape, the existence and current use of the respective structures, the compliant coverage (in line with the land use requirements), the slope of the subject property, etc. are factors that have to be considered when contemplating the potential of the property to accommodate the departure. The following factors confirm the potential of the property to accommodate the proposed lateral building line deviations:

- good quality materials are and will be used;
- the architectural style of the renovated main dwelling will be aesthetically pleasing;
- The renovated and extended main dwelling will be used for residential purposes only;
- The shadenet carport on the eastern erf boundary will be used for the storage of vehicles only;
- The alterations / additions will add value to the subject property as well as the area.

### **3.6 ECONOMIC IMPACT**

The proposed Land Use Scheme relaxation of the eastern and western lateral building lines are to accommodate the existing shadenet carport and the existing second dwelling that will be linked to the main dwelling to create one larger main dwelling unit. The proposed departure will allow the owner to keep all structures on the subject property while simultaneously meeting their storage and accommodation needs. Addressing the unlawful structures will favour the resale of the property in the future and have a positive impact on the adjacent properties. By approving the proposal, the aesthetical value of the subject property will remain. Both the structures do not have a negative impact on the surrounding property owners as previously discussed.

The proposed deviations will have a low but positive impact on the local economy. One family will continue to reside on the property who will continue to invest in the local economy of the area.

### **3.7 SOCIAL IMPACT**

The proposed departure will have no impact on the social status quo of the area. The deviations will however allow the owner to retain all existing structures on the subject property while simultaneously altering, adding and renovating the existing main dwelling in accordance with her needs. All new alterations and additions will be done in line with the relevant land use scheme regulations.

No negative impact on the social wellbeing of the surrounding community is anticipated. It is submitted that the property will be compatible with the character of the area and does not impact negatively on the rights of anyone else.

### **3.8 COMPATIBILITY WITH SURROUNDING LAND USES**

The subject property is situated in an existing low-density residential area. The application does not propose to change the zoning or land use of the subject property and therefore the proposal is compatible with the surrounding land uses.

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. There are also a few vacant erven present in the area. The scale of the structures on erf 395 Pearly Beach merges well with the scale of the surrounding dwellings in the immediate area.

In addition, to accommodate the As Built alterations / additions and the proposed renovation thereof (where applicable) will contribute towards the value of the subject property and consequently have a positive impact on the area. The use of the subject property will primarily remain for residential purposes (dwelling with outbuildings).

There is no substantial impact on the streetscape as discussed in detail in Sections 3.4, 3.5 and 3.11 of this report.

### **3.9 IMPACT ON EXTERNAL ENGINEERING SERVICES**

All services on the subject property already exist. The As Built structures will have no impact on the scale and usage of the existing available services since no additional loading of the existing civil infrastructure is anticipated.

Additional services (if required) will be provided to the satisfaction of the Overstrand Municipality.

### **3.10 IMPACT ON SAFETY, HEALTH AND WELLBEING OF SURROUNDING COMMUNITY**

The proposed departure and removal of a restrictive title deed condition will have no impact on the general safety and wellbeing of the surrounding community. It is anticipated that a maximum of one family will continue to occupy the subject property. The As Built second dwelling unit (proposed extended main dwelling's bedroom no. 3 and en-suite bathroom) is already used as a habitable area with no to minimal impact on the adjacent property. The impact of linking the main dwelling with the second dwelling unit will be minimal.

The shadenet carport is a low impact use that can be favourably considered within a lateral building line, hence the impact on the adjacent properties will be kept to a minimum. The proposed coverage complies with the maximum permissible coverage.

The proposal meets the needs of the owner without compromising the safety and privacy of the adjacent property owners. All existing structures and proposed alterations / additions still ensure that the dwelling remains aesthetically pleasing.

Since the proposed departure is not associated with a noxious trade with polluting air emissions the impact on the health of the community will be kept to a minimum.

### **3.11 IMPACT ON HERITAGE**

The application does not involve changing the character of a site larger than 5 000m<sup>2</sup>. Consequently, the proposed application for the departure and removal of a restrictive title deed condition does not trigger Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999).

Erf 395 Pearly Beach is not situated within the Heritage Overlay Zone as determined by the Overstrand Municipality's Zoning Scheme Heritage Overlay Zone (2020). The subject property is also not earmarked for heritage conservation purposes with reference to the Overstrand Municipal Growth Management Strategy (2010).

The subject property is not associated with any important persons or groups or important events and activities. The subject property has no association with the history of slavery and is not used for living heritage. The structures on erf 395 Pearly Beach are not older than 60 years.

In the light of the above mentioned it is evident that the proposed departure will not have a negative impact on the heritage value of the Pearly Beach area.

### **3.12 IMPACT ON THE BIOPHYSICAL ENVIRONMENT**

The proposed departure and removal of a restrictive title deed condition application does not trigger any listed activities in terms of the National Environmental Management Act (NEMA), 1998 (Act no. 107 of 1998).

The subject property is not situated within the Overstrand Municipality's Zoning Scheme Environmental Overlay Zone (2020).

### 3.13 TRAFFIC IMPACT, PARKING AND ACCESS

Access to erf 395 Pearly Beach will remain unchanged and will be from the existing access point in Ridge Way. Refer to the site development plan.

The Overstrand Municipality Land Use Scheme (2020) stipulates that a minimum of two parking bays are required for a dwelling house. Provision is made for the parking of vehicles in the existing As Built shadenet carport on the eastern lateral erf boundary. The shadenet carport can easily accommodate two vehicles in tandem parking style. Sufficient space also exists south of the As built carport where vehicles can park. The dwelling house on erf 395 Pearly Beach will therefore comply with the minimum parking requirements for SR1 zoned properties.

The subject property will still be used primarily for single residential purposes and therefore the impact on the traffic flow in the area will remain unchanged.

### 3.14 TITLE DEED

Title Deed no. T12839/2016 has a restrictive title deed condition that needs to be removed for this application for the departure of the prescribed building lines to be approved. The conveyancer's certificate compiled by Mr. A. Watson dated 21 June 2022 is attached. Application is therefore made for the removal of the restrictive title deed condition.

It is proposed to remove the following restrictive title deed condition registered by the Administrator (now the Overstrand Municipality) to accommodate the proposed structures (and uses thereof) and departures of erf 395 Pearly Beach:

Title deed no. T12839/2016, pages 2-3, paragraph C.4(d):

"C. Onderhewig verder aan die volgende voorwaardes vervat in Transportakte Nr T33617/1980 opgelê deur die Administrateur van die Provinsie Kaap die Goeie Hoop in terme van Ordonnansie Nr 33 van 1934 met goedkeuring van Pearly Beach Dorp, welke voorwaardes soos volg lees:-

4. "This erf shall be subject to the following conditions provided especially that where, in the opinion of the Administrator after consultation with the Townships Board and the local authority, it is expedient that the restriction in any such conditions should at any time be suspended or relaxed, he may authorise the necessary suspension or relaxation subject to compliance with such conditions as he may impose:-

- d) No building or structure or portion thereof, except boundary walls and fences, shall be erected nearer than 4,72 metres to the street line which forms a boundary of this erf, nor within 3,15 metres of the rear, or 1,57 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority, an outbuilding not exceeding 3,05 metres in height, measured from the floor to the wall plate and no portion of which will be used for human habitation, may be erected within the above prescribed rear space. On consolidation of any two or more erven this condition shall apply to the consolidated area as one erf."

The lateral building line restrictions in Title Deed no. T39629/2013 are less restrictive than the land use restrictions prescribed in the Overstrand Municipality Land Use Scheme (2020). However, the title deed lateral building lines are still restrictive and must be removed to accommodate the following structures:

- the new extended and renovated main dwelling on the 1,097m and 1,325m western lateral building line in lieu of the 1,57m title deed lateral building line;
- the As Built shaded carport on the 0m eastern lateral building line in lieu of the 1,57m lateral building line.

The street and rear building line restrictions in Title Deed no. T39629/2013 are more restrictive than the street and rear building lines prescribed in the Overstrand Municipality Land Use Scheme (2020). All structures meet the 4m Land Use Scheme street building line and 2m rear building line parameters. All structures also meet the 4,72m title deed street building line and 3,15m rear building line. However, since the street and rear building lines of the title deed are more restrictive than the land use scheme's building lines, it is proposed to remove these conditions. This way the land use scheme will govern all future development on the subject property.

It is submitted that the 4m scheme street and 2m rear building lines will still sufficiently protect the privacy and views of surrounding erven.

Section 39(5) of the Land Use Planning Act (LUPA), 2014, stipulates that a Municipality should have regard to the following factors when considering the "removal, suspension or amendment of a restrictive condition":

- ***The financial or other value of the rights in terms of the restrictive conditions enjoyed by a person or entity, irrespective of whether these rights are personal or vest in the person as the owner of a dominant tenement***

The removal of the restrictive condition intends to increase the use rights of the property to permit existing structures that are positioned over the eastern and western lateral building lines by the previous property owner during construction on the subject property. The value of the rights is vested in the new owner of the property. The properties in whose favour the conditions are registered do not enjoy any financial or other value. The removal of the condition will consequently have no impact on the favoured properties.

Property owners not seeking that the land use restrictions should be in line with the zoning scheme's land use restrictions will favour the restrictive title deed condition since the condition impedes the development of a residential property in line with the zoning scheme. The existing As Built development (and its encroachments) is not an unusually large-scale form of development that encroaches the lateral building lines. The street building line condition are more restrictive than the zoning scheme regulations' building lines. And where scheme building lines are encroached, it is to address the existing structures (with new uses and renovations where applicable).

- ***The personal benefits which accrue to the holder of rights in terms of the restrictive conditions***

The condition was imposed by the Administrator for the benefit of the township. The only personal benefit to the holder is that the property is more restricted in terms of developing any structures on the subject property. The Administrator is now the Overstrand Municipality; hence the governing role remains responsibility of the local authority regardless of the conditions removed.

- ***The personal benefits which will accrue to the person seeking the removal of the restrictive conditions, if they are removed***

The removal of the restrictive title deed condition will bring about personal benefits to the new landowner since it will allow her to legalise the existing structures to proceed with additions and renovations to the subject property that will in turn benefit the value and resale of their property in future. To remove the stricter building lines will also afford the property owner the opportunity to add to the existing dwelling in future within the relevant land use restrictions and not be prohibited by stricter title deed conditions.

The existing property owner will be able to enjoy the personal benefits of the existing structures instead of partially demolishing the structures. The latter will have a great financial burden on the existing property owner. To remove the title deed's lateral building line restriction will allow the property owner to adhere to the less restrictive common erf boundary building line of the zoning scheme regulations (2m) in future, instead of being bound by the more restrictive title deed building line (1,57m) for any future additions or redevelopment of the property. It will also allow the owner to keep the existing residential structure (second dwelling linked to the main dwelling to create one dwelling unit) and shadenet carport at its current positions.

- ***The social benefit of the restrictive conditions remaining in place in its existing form***

The social benefit if the title deed condition was to remain unchanged and enforced on the existing As Built structures would be that the character of Ridge Way will remain unchanged. If the condition remains unchanged, the owner must adhere to the title deed's stricter building lines. The impact on the neighbouring properties with regards to privacy, noise, impact on the street scape, etc. will be marginally lower.

The less restrictive lateral title deed buildings lines favour the property owner, but not necessarily the adjacent properties. No complaints have been received from the immediate property owners over the years for the existing As Built second dwelling and shadenet carport that encroaches the lateral building lines. To keep the 4,72m title deed street building line will have no benefit to neither the property owner nor the

adjacent properties since the existing structures already meet the relevant street building lines. Future development on the subject property will have to meet the 4m land use scheme building line that still protects the adjacent properties in terms of noise pollution and privacy.

- ***The social benefit of the removal or amendment of the restrictive conditions***

The removal of the restrictive title deed condition will allow the scheme regulations' building lines to set the rules for future development on the subject property. The social benefit will therefore only be to the property owner of erf 395 Pearly Beach since it will allow him to keep the existing As Built structures that encroach onto the lateral building lines on the subject property, allow for the redevelopment of the subject property (linking the two dwelling units; constructing a swimming pool; etc.) and allow future additions to be constructed in line with the zoning scheme regulations' building lines only.

- ***Whether the removal, suspension or amendment of the restrictive conditions will completely remove all rights enjoyed by the beneficiary or only some of those rights***

The removal of the restrictive condition will not remove all rights enjoyed by the beneficiary, but only some rights and will instead expand the value of these rights to accommodate the existing structures within the scheme regulations' building lines with departures where applicable. The latter is more desirable for the zoning and extent of the subject property without having a detrimental impact on the rights of anyone else or the character of the area.

There is a bond registered against erf 395 Pearly Beach. The bond is however in the process of cancellation. Refer to the letter from STBB Attorneys dated 28 June 2022 confirming the cancellation of the bond.

From the above as well as the motivation in Sections 3.4 and 3.5 of this report it is evident that the removal of the restrictive title deed condition can be favourably considered.

### 3.15 FORWARD PLANNING AND LAND USE DOCUMENTS

The *Overstrand Spatial Development Framework (2020)* earmarks the area where erf 395 Pearly Beach is situated, for urban development purposes. The zoning and use of the subject property will remain unchanged (Residential Zone 1: Single Residential). As a result, the impact of the proposed departure on the spatial integrity of the area will be minimal and is therefore consistent with the Overstrand SDF (2020).

The *Overstrand Municipal Growth Management Strategy (OMGMS, 2010)* specifies that erf 395 Pearly Beach forms part of Planning Unit no. 3 for Pearly Beach. Refer to the *OMGMS Proposal Plan (2010): Pearly Beach* below. Densification from 6,7du/ha to 8du/ha is proposed for this planning unit. No additional portions or second dwelling units are proposed with this application. The status quo of the area (low density residential) will remain unchanged. The land use application for the subject property therefore falls within the existing planning for Pearly Beach.

The proposal will promote land development in a location that is sustainable. The proposed departure and removal of restrictive title deed conditions are to an improved erf within an established residential area and will not impact on urban sprawl or upon a sensitive environment.

The impact on the overall density of this part of Pearly Beach will therefore be kept to a minimum since the proposed application still promotes a low-density residential area.

From the above it is evident that the proposed development **adheres and complies** with the relevant municipal spatial planning policies.

### 3.16 PLANNING PRINCIPLES

The planning principle of spatial resilience does not apply to this application.

Spatial justice: The proposed land use application ties in with the existing character of the area and will not have a negative impact on the surrounding neighbours. The impact on the biophysical environment will be low as the subject property has been in existence since 1950.

The proposed application will not further promote the spatial development imbalances. This application is for an erf as per the establishment of the existing Pearly Beach Township. The proposed application is in character with the existing area where similar applications have been approved in the past and therefore, the approval of the proposed application will not be spatially biased.

Spatial sustainability: The proposed departure and removal of a restrictive title deed condition will have no impact on the visual elements of the subject property and surroundings since the structures (second dwelling and shadenet carport) already exist. It is submitted that the structures (with new use where applicable) are compatible with the character of the area (as motivated in previous sections of this report). The encroachment of the eastern and western lateral building lines has no impact on the massing of the buildings and the impact on the streetscape or passers-by is considered minimal. The As built structures (and where renovated) will merge well with the area. The impact on the biophysical environment will also be kept to a minimum since the structures already exist.

Factors such as the good quality materials used, the overall layout of the structures on the subject property, the scale of the surrounding built environment, the low impact on the streetscape, the uses of the respective structures, the slope of the subject property, etc. allow for the consideration and approval of the proposed deviations without having an adverse impact on the spatial sustainability of the area. The proposal is to an improved erf within an established residential area and therefore will not impact on urban sprawl, or upon a sensitive environment.

The application is considered spatially sustainable as the existing property will be more optimally utilised. The structures (with new uses where applicable) are compatible with the character of the area and do not impact negatively on the rights of the adjacent property owners.

Efficiency: The subject property is easily accessible and conveniently located close to Gansbaai and major routes. It proves to be resourceful to consider the proposal since it is compatible with the existing built environment and it will be aesthetically pleasing.

It proves to be efficient to accommodate the proposal since the impact on the whole look and feel of the subject property will add value to the property and the area as a whole.

The proposed departure and removal of a restrictive title deed condition prove to be efficient since it discourages the phenomenon of urban sprawl, encourages densification and more compact towns and cities, all of which relates to more responsible resource and infrastructure use and sustainable development. Furthermore, the proposal is efficient in that it optimizes existing resources and infrastructure and continues the existing suburban development typology.

Good administration: Our firm 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 land use application will follow due process as stipulated in the relevant municipality's bylaw and related provincial and national land use planning legislation. All measures will be taken to ensure an efficient and streamlined process within the applicable timeframes as stipulated by the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020.

#### **4. RECOMMENDATION**

When this application is evaluated it is important to take note of the following:

- The property owner intends to legalise the existing shadenet carport that encroaches the eastern lateral building line and the existing second dwelling structure (new main dwelling extension) that encroaches the western lateral building line;
- All services on the subject property already exist and no additional loading of the existing infrastructure is anticipated;
- The densification status quo of the area will remain unchanged;
- The zoning and primary land use of the subject property will remain unchanged;
- The proposal is compatible with the existing built character of the area;
- Impact on the traffic and services will be kept to a minimum;
- There are no environmental aspects that will negatively impact the application and the application will not have a negative impact on any environmental factors;
- The impact on the heritage value of the area will be minimal;
- The proposal is compatible with the spatial planning strategies for the area;
- The application is fully compliant with the applicable planning principles described in the LUPA (2014) and SPLUMA (2013);
- We request that a minimal penalty fee not be imposed.

The application can be supported for your favourable evaluation. The opinion is held that this application will have no negative impact on the land values, privacy, built environment and character of the area.

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**GENERAL:**

- ALL WORK TO COMPLY WITH NATIONAL BUILDING REGULATIONS.
- Workshops rooms to have at least 15% floor area cross ventilation.
- Workshops rooms to have at least 15% floor area cross ventilation.
- All dimensions are in millimeters unless otherwise stated.
- This drawing is not to be used as a construction document without the written approval of the architect.
- All work is to be carried out in accordance with local authority requirements.
- All levels unless otherwise indicated are finished floor levels.
- Any floor levels are to be indicated on the drawings.
- Any floor levels are to be indicated on the drawings.
- All pointing is to comply with part 11 of the code of practice.

**LEGEND:**

- New Brickwork
- New Timberwork
- New Slab
- New Foundation/Concrete
- New Sewer Line
- New Stormwater Line

No.	Date	Description
Revision Schedule		

PROJECT: Erf 395 - Pearly Beach (Mr J Nel)

DESCRIPTION: Site Plan/ Ground Floor Plan

SCALE: As indicated

DRAWING DATE: 31/07/2017

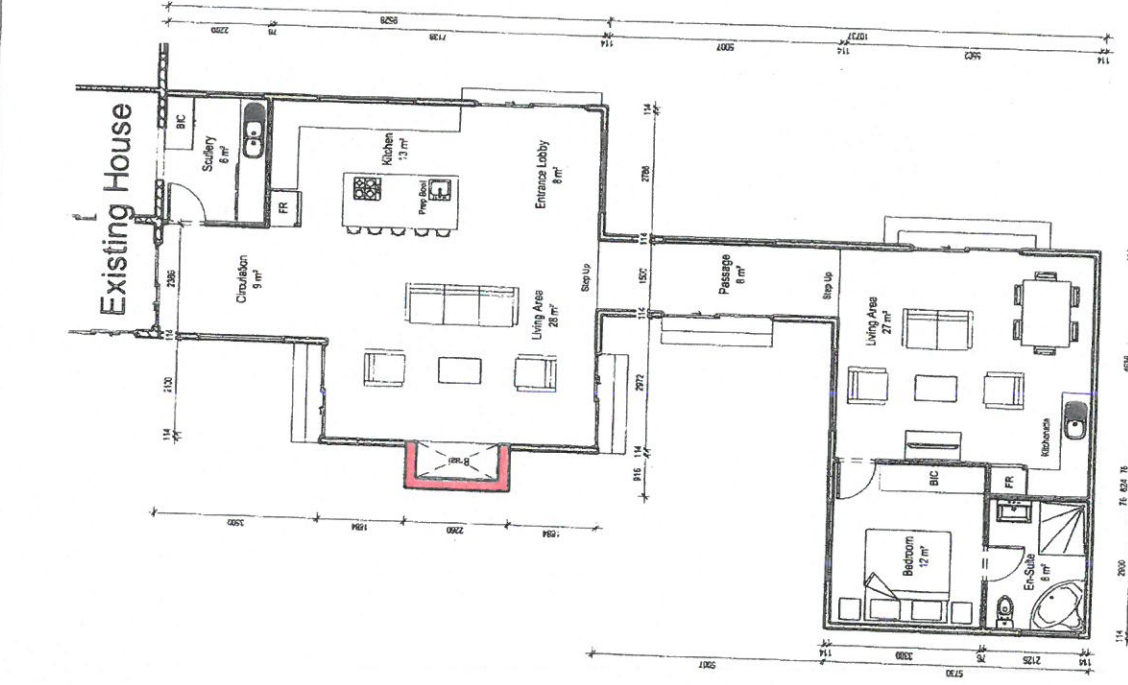
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CHECKED: JG

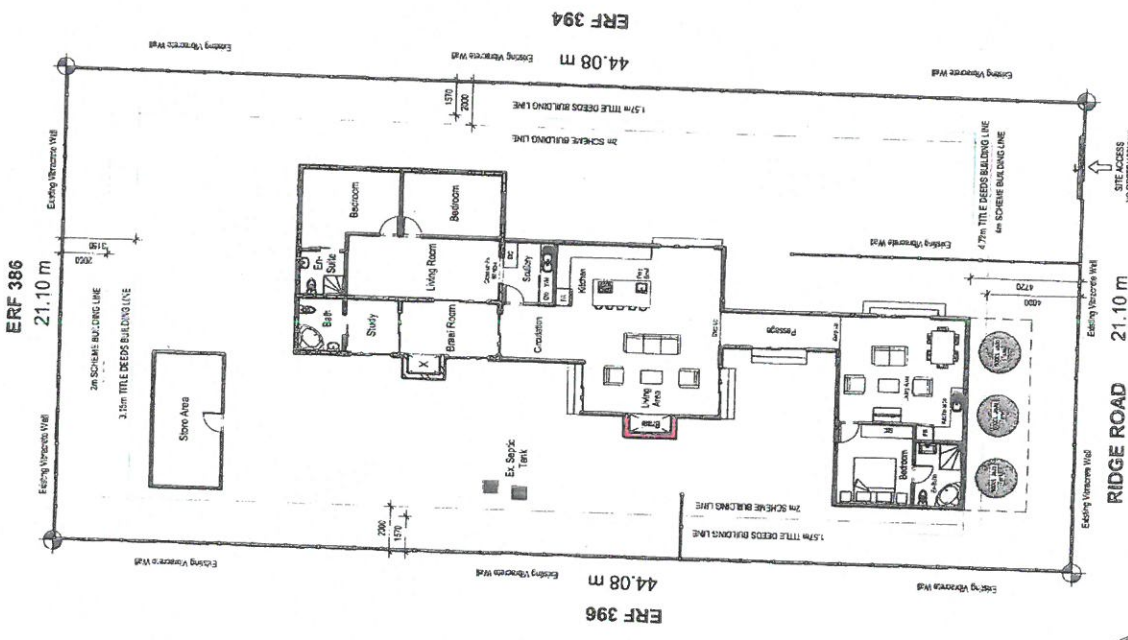
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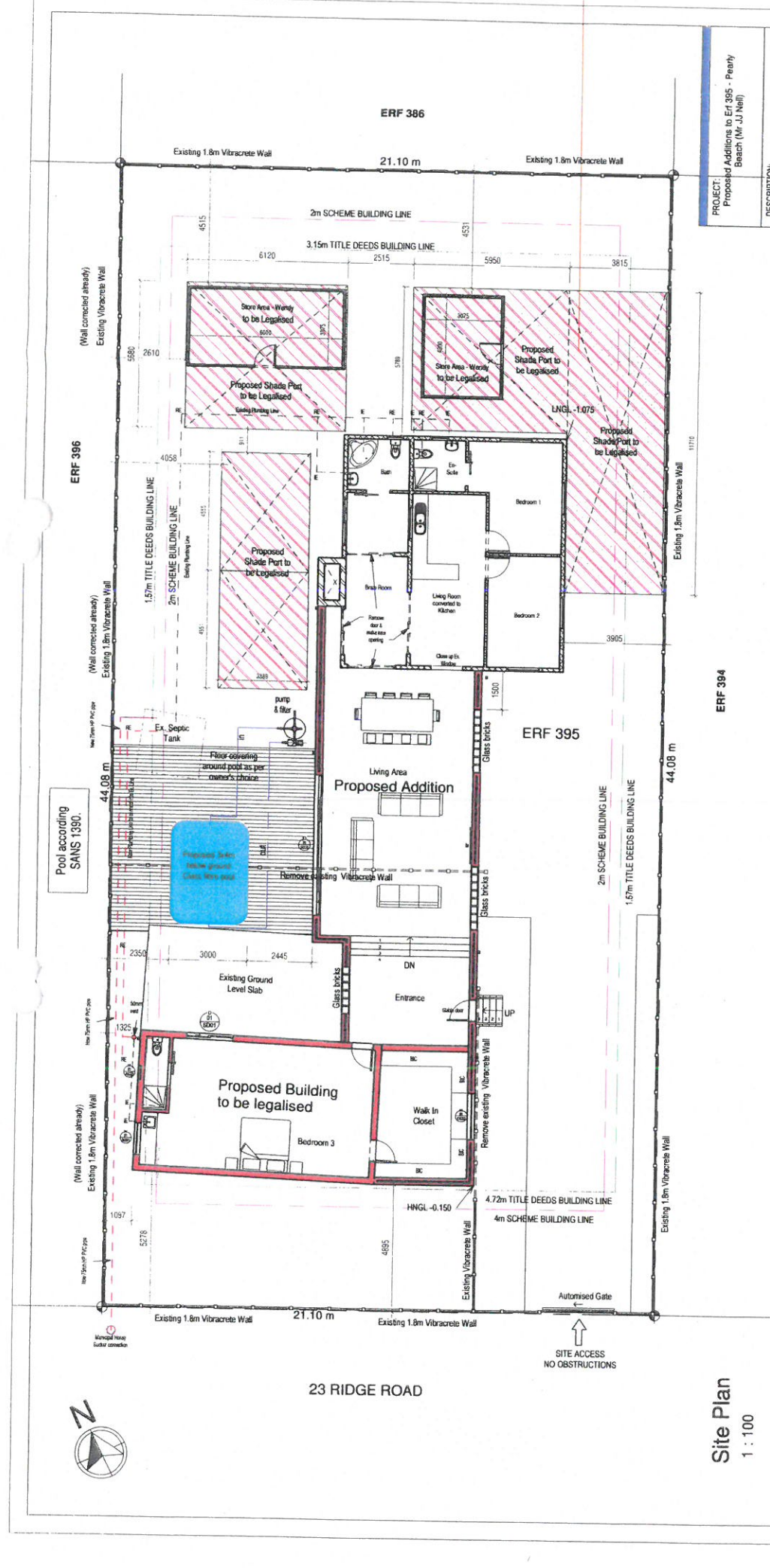
**Gerliche Architecten & Interiors**  
 Johan Gerliche  
 Architectural Drafting (1) 07 966 1000  
 Telf: 082 453 81  
 Lid van SAT : S07023



**Ground Floor Layout**  
1 : 100



**Site Plan - Erf 395**  
1 : 200



PROJECT:		Proposed Additions to Erf 395 - Peary Beach (Mr JJ Nell)	
DESCRIPTION:		Site Plan	
SHEET FORMAT:	AZ	OCCUPATION:	H4
SCALE:	As indicated	DRAWING #:	23/JUN/22
PAGE #:	1	PLOT DATE:	20-Apr-22 12:54:58 PM
DRAWING DATE:	07/04/2022	SIGNATURE:	<i>Johan Gericke</i>
DRAWN:	Johan Gericke		
www.gericke-architecture.co.za P.O. Box 10385, Peary Beach, Durban, KwaZulu-Natal, 3650 SACAP: 03658 7000 Fax: 03658 7001			

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Legend:	
	New Brickwork
	New Timberwork
	New Sower Line
	New Stormwater Line
	New Sewer Line
	New Foundation Concrete
	New Nucleo Cladding

- GENERAL:**
- ALL WORK TO COMPLY WITH NATIONAL BUILDING REGULATIONS.
  - The architect is not responsible for any errors or omissions in this publication.
  - All work is to be carried out in accordance with the relevant building regulations.
  - All levels unless otherwise indicated are finished floor levels.
  - Finished floor levels are to be min. 150mm above NGL.
  - Any discrepancies are to be reported to the office of the Architect.
  - All glazing is to comply with part 11 of the NBR.
  - Building to comply with National Building Regulations.
  - Structure work to comply strictly with accordance to Eng's specs & details.

LINES/PIPES:	
	New Sewerage line - 110mm PVC
	New Waste line - 50mm PVC
	Existing sewer line
	New Stormwater Line- 75mm PVC

PLUMBING WORK	
RE	Rooding Eye
IE	Inspection Eye
VP	Vent pipe
WP	Water pipe
IC	Intercept chamber
CE	Chasing Eye

GENERAL	
NGL	Natural Ground Level
FGL	Finished Ground Level
FEL	Finish Floor Level

SCHEDULE OF RIGHTS	
<b>PROPERTY DESCRIPTION</b> Erf Number: 395 Site: Aas, PEARY BEACH Erf Size: 590m <sup>2</sup> Owner: J.J. NELL	
<b>ZONING INFORMATION</b> Town Planning Scheme: QUESBAND Use Zone: GERB4: RESIDENTIAL ZONE 1: SINGLE RESIDENTIAL	
<b>DEVELOPMENT CONTROL MEASURES</b>	
Existing Dwelling	: 76.50m <sup>2</sup>
New Addition	: 153.71m <sup>2</sup>
Open Spaces	: 23.85m <sup>2</sup>
Shed/Carports	: 142.57m <sup>2</sup>
Waste Storage	: 30.91m <sup>2</sup>
TOTAL	: 438.54m <sup>2</sup>
Coverage	: 42.51% (57.28m <sup>2</sup> )

The information provided above is hereby certified to be correct & precise

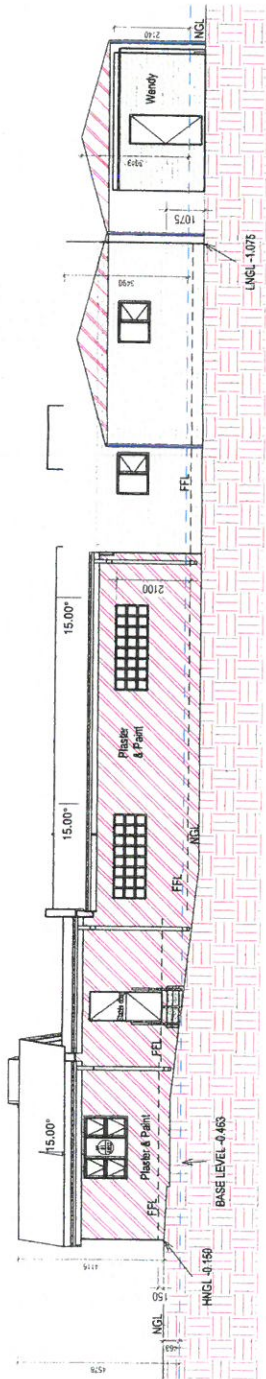
Name: J.S. GERICKE Signature: \_\_\_\_\_  
 Date: 08 APRIL 2022 Plan No: 20/JUN/22

**Site Plan**  
1 : 100

23 RIDGE ROAD



8M HEIGHT RESTRICTION 7.537

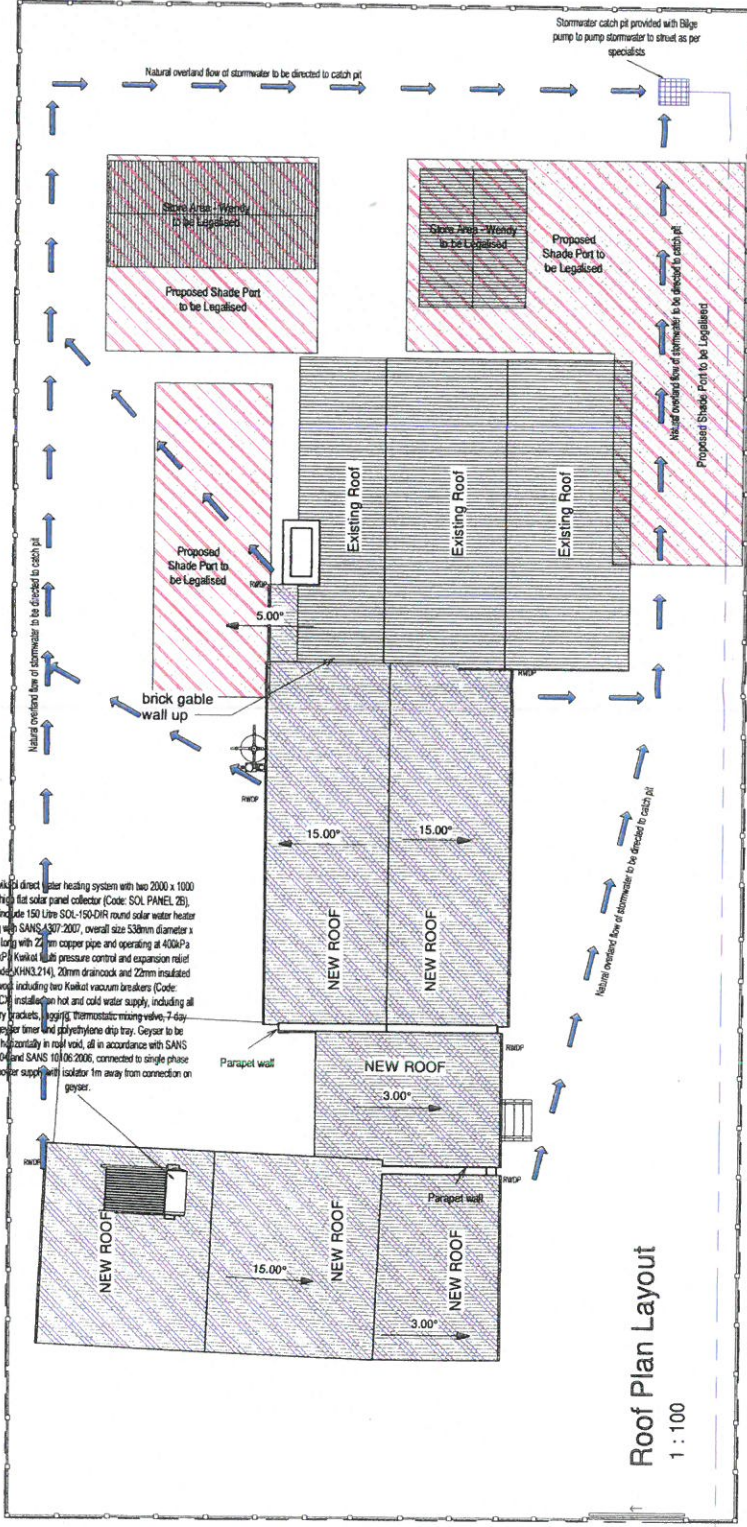


East Elevation  
1 : 100

**GENERAL:**

- ALL WORK TO COMPLY WITH NATIONAL BUILDING REGULATIONS:
- All drawings to be prepared in accordance with the National Building Regulations.
  - This drawing is not to be used for any other purpose than that for which it is intended.
  - All work is to be carried out in accordance with local authority requirements.
  - All levels unless otherwise indicated are finished floor levels.
  - Finished floor levels are to be min. 150mm above N.G.L.
  - Any discrepancies are to be reported to the offices of the Architect.
  - All glazing is to comply with part H of the NBR.
  - Building to comply with National Building Regulations.
  - Structure work to comply strictly with accordance to Engineers & details.

<b>PROJECT:</b> Proposed Additions to Fri 395 - Peary Beach (Mr JJ Noll)		<b>DESCRIPTION:</b> Roof Plan Layout & Elevations	
<b>SHEET FORMAT:</b> A2	<b>OCCUPATION:</b> H4	<b>DRAWING #:</b> 23 JUN/22	<b>PLOT DATE:</b> 20-Apr-22 12:54:59 PM
<b>SCALE:</b> As indicated	<b>PAGE #:</b> 2	<b>DRAWING DATE:</b> 07/04/2022	<b>SIGNATURE:</b> <i>Johan Gerlicke</i>
<b>DRAWN:</b> Johan Gerlicke		<b>ARCHITECTURE:</b> GERLICKE www.gericke-architecture.co.za info@gericke-architecture.co.za Tel : 082 984 1859 Sat : 082 453 8554 SAPCR : 08669 Prof Arch Draught	

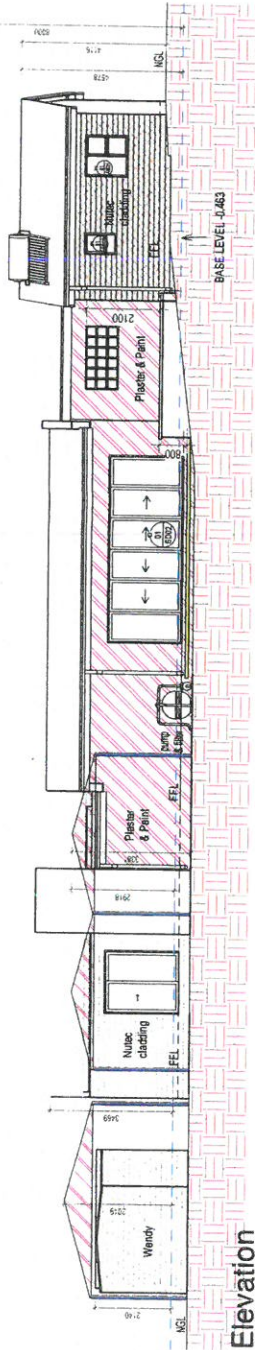


Roof Plan Layout  
1 : 100





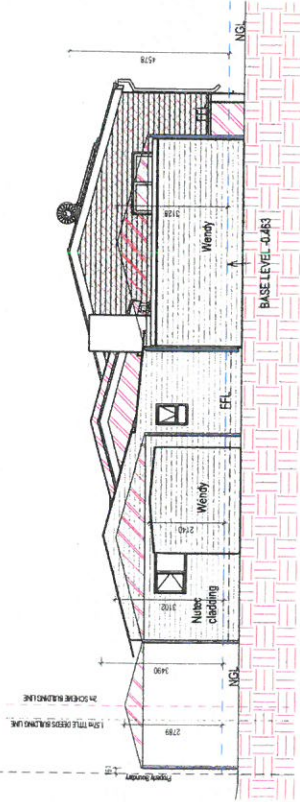
BM HEIGHT RESTRICTION 7.537



West Elevation

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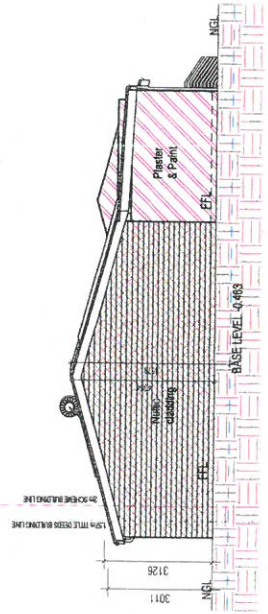
BM HEIGHT RESTRICTION 7.537



North Elevation

1 : 100

BM HEIGHT RESTRICTION 7.537



South Elevation

1 : 100

PROJECT:  
Proposed Additions to Erf 395 - Pearty  
Beach (W J Nel)

DESCRIPTION:  
ELEVATIONS

SHEET FORMAT:  
A2

OCCUPATION:  
H4

DRAWING #:  
23/JNI/22

SCALE:  
1 : 100

PAGE #:  
4

DRAWING DATE:  
07/04/2022

PLOT DATE:  
20-Apr-22 12:55:02 PM

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*Johan Gericke*

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