

ERF 3940, 264 EIGHT STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS WRAP PROJECT OFFICE ON BEHALF DU TOIT FAMILIE TRUST

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 the following:

- ❖ **departure in terms of Section 16(2)(b)** of the By-Law in order to:
 - relax the eastern building line from 2m to 1,12m in order to allow the existing bathroom and balcony on the first floor;
 - relax the eastern building line from 2m to 1,12m to allow the existing scullery on the ground floor;
 - relax the eastern building line from 2m to 1,11m to allow the new balcony on the first floor;
 - relax the eastern building line from 2m to 1,11m to allow the new covered patio on the ground floor;
 - relax the eastern building line from 2m to 1,11m to allow the new living room on the first floor; and
 - relax the eastern building line from 2m to 1,11m to allow the existing garage on the ground floor, and
- ❖ **determination of an administrative penalty in terms of Section 16(2)(q)** of the By-Law.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, 16 Paterson Street, Hermanus. Any written comments may be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law to the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) on or before **Friday, 28 October 2022**, quoting your name, address and contact details, interest in the application and reasons for comment. Telephonic enquiries can be made to the **Town Planner, Mr P Roux** at 028-313 8900. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

ERF 3940, AGTSTESTRAAT 264, VOËLKLIP, HERMANUS, OVERSTRAND MUNISIPALE AREA: AANSOEK OM AFWYKING EN BEPALING VAN 'N ADMINISTRATIEWE BOETE: MNRE WRAP PROJECT OFFICE NAMENS DU TOIT FAMILIE TRUST

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

- ❖ **afwyking ingevolge Artikel 16(2)(b)** van die Verordening ten einde:
 - die oostelike boulyn vanaf 2m tot 1,12m te verslap ten einde die bestaande badkamer en balkon op die eerste verdieping toe te laat;
 - die oostelike boulyn vanaf 2m tot 1,12m te verslap om die bestaande opwaskamer op die grondvloer toe te laat;
 - die oostelike boulyn vanaf 2m tot 1,11m te verslap om die nuwe balkon op die eerste verdieping toe te laat;
 - die oostelike boulyn vanaf 2m tot 1,11m te verslap om die nuwe onderdak patio op die grondvloer toe te laat;
 - die oostelike boulyn vanaf 2m tot 1,11m te verslap om die nuwe sitkamer op die eerste verdieping toe te laat; en
 - die oostelike boulyn vanaf 2m tot 1,11m te verslap om die bestaande motorhuis op die grondvloer toe te laat.
- ❖ **bepaling van 'n administratiewe boete in terme van Artikel 16(2)(q)** van die Verordening.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. Enige kommentaar op die voorstel moet skriftelik ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening na die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) voor of op **Vrydag, 28 Oktober 2022**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan die **Stadsbeplanner, Mnr P Roux** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

I-ERF 3940, 264 EIGHT STREET, VOËLKLIP, HERMANUS, KUMASIPALA WASE-OVERSTRAND: ISICELO SOKUNYENYISWA NOKUGQITYWA KWESOHLWAYO: ABAKWA WRAP PROJECT OFFICE EGAMENI DU TOIT FAMILIE TRUST

Kukhutshwa isaziso ngokumayela neCandelo 48 loMthetho Otshintshiweyo woMasipala waseOverstrand ongokuSetyenziswa koMhlaba kaMasipala, 2020 (uMthetho kaMasipala), ukuba kufunyenwe isicelo sezi zinto zilandelayo: Uphambuko ngokwemiqathango yeCandelo 16(2)(b) loMthetho laMasipala lokunyeniswa kokulandelayo.

- ❖ Ukunyeniswa ngokuhambelana malunga Candelo 16(2)(b) malunga noku kulandelayo:
 - ukukhulula umgca wesakhiwo kwicala elingasempuma ukusuka kwi-2m ukuya kwi-1.12m ukuvumela igumbi lokuhlambela elikhoyo kunye ne-balcony kumgangatho wokuqala;
 - ukukhulula umgca wesakhiwo kwicala elingasempuma ukusuka kwi-2m ukuya kwi-1.12m ukuvumela i-scullery ekhoyo kumgangatho ophantsi;
 - ukukhulula umda wesakhiwo kwicala elingasempuma ukusuka kwi-2m ukuya kwi-1.11m ukuvumela ibhalkhoni entsha kumgangatho wokuqala;
 - ukukhulula umda wesakhiwo kwicala elingasempuma ukusuka kwi-2m ukuya kwi-1.11m ukuvumela ipatio entsha egqunyiweyo kumgangatho ophantsi;
 - ukukhulula umda wesakhiwo kwicala elingasempuma ukusuka kwi-2m ukuya kwi-1.11m ukuvumela igumbi lokuhlala elitsha kumgangatho wokuqala; kwaye
 - ukukhulula umda wesakhiwo kwicala elingasempuma ukusuka kwi-2m ukuya kwi-1.11m ukuvumela igaraji ekhoyo kumgangatho ophantsi, kunye
- ❖ ukugqitywa kwesohlwayo emasibhatalwe ngokweCandelo 16(2)(q) loMthetho kaMasipala, ukuze kuqinisekise ukuba izongezo ezenziwayo ziyahambelana noMthetho kaMasipala.

Inkcukacha mayela nesindululo siyafumaneka ukuze sihlolwe phakathi evekini ngamaxesha omsebenzi ukusuka kwintsimbi ye08:00 ukuya kweye16:30 kwiSebe: Izicwangciso Zedolophu kwanombolo 16 Paterson Street, eHermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 alo Mthetho uYilwayo yaye mazithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) ngomhla okanye ngaphambi koLwesihlanu wama-28 EyeDwarha 2022 unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuza into malunga nesi saziso ungatsalela umnxeba Umchwangciso Wedolophu uMnu. P Roux kule nombolo 028-313 8900. Umasipala angala ukuzamkela izimvo ezifike emva komhla wokuqalwa. Nabani na ongakwaziyo ukufunda okanye ukubhala makaye kwiSebe loYilo lweDolophu apho igosa likamasipala liya kumncedisa azibhale izimvo zakhe.

Locality Plan Erf 3940 - Hermanus

 Subject property

Plan prepared by: Thian Jansen

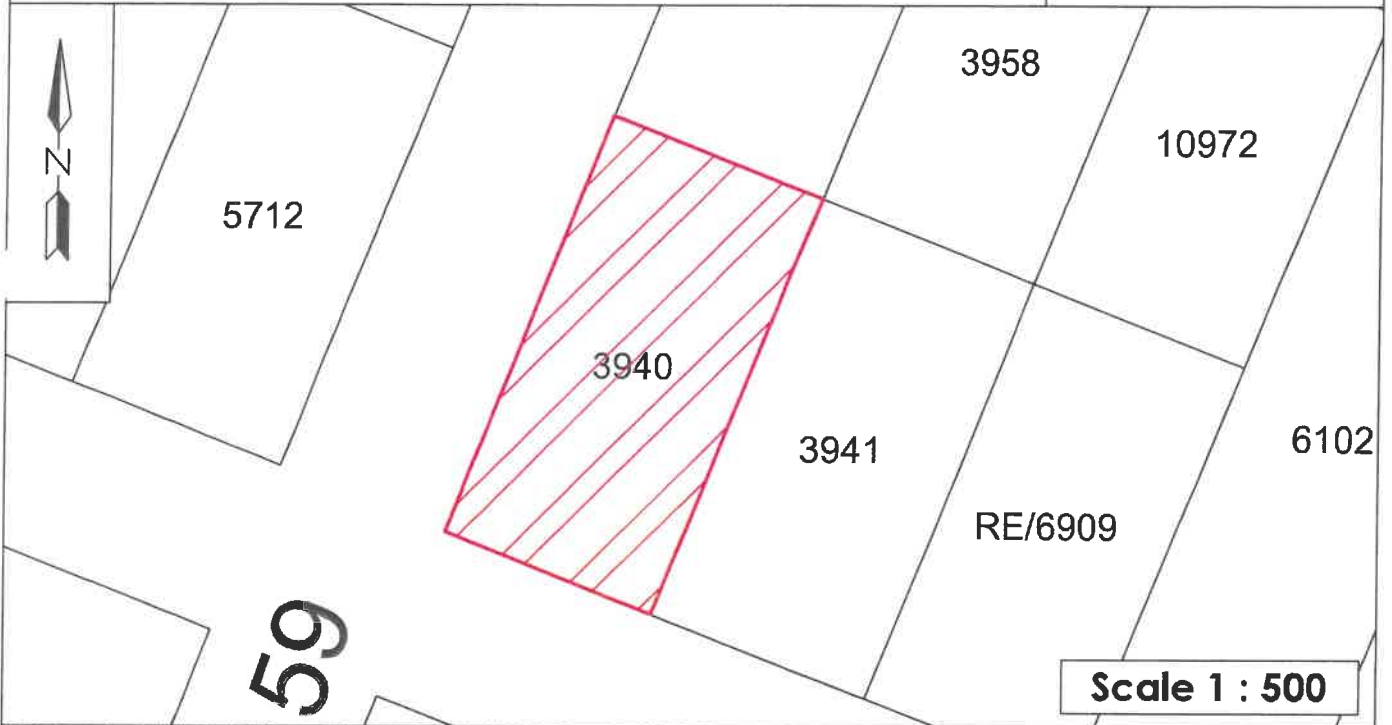
Tel: 028 313 1411

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Unit B, Standard House,
Corner of Royal and Dirkie Uys
Street Hermanus, 7200



Project Office
Town Planning & Project Management





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1. ABBREVIATIONS

OM	Overstrand Municipality
OMLUS	Overstrand Municipality Land Use Scheme, 2020
BY-LAW	Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020
PSDF	Western Cape Provincial Spatial Development Framework, 2014
LUPA	Western Cape Land Use Planning Act, 2014.
MSDF	Overstrand Spatial Development Framework, 2020

2. PROPERTY DETAILS

Consultant	WRAP Project Office
Erf Number	Erf 3940, Hermanus
Extent	495m ²
Zoning	Residential Zone 1: Single Residential

3. BACKGROUND AND INTENT

Erf 3940 Hermanus, hereafter referred to as the subject property (Refer to **Plan 1** for the locality), is owned by the Du Toit Familietrust. The trustees have appointed WRAP Project Office to submit this land use application on their behalf (refer **Annexure A – Power of Attorney**).

The subject property has been owned by the property owners for the past 24 years and has undergone numerous renovations. The latest being an extension of the garage and of the first-floor balcony. These renovations have already been completed, the first-floor balcony has been enclosed on the side and the slab has been extended in the front of the property to create a new deck on the first floor.

The position of the first-floor covered balcony was historically approved on the 1,2m building line. The alteration that took place enclosed the side of the covered stoep to create more privacy from the neighbours that also has a stoep on the first floor. Creating a better situation for both the neighbour and the property owner by creating a physical barrier between the two properties.

The enclosure encroaches on the 2m side building line and is currently being occupied by mostly an indoor braai and a pizza oven. A survey was done, and it was determined that the house was built 1,1m from the boundary line and not 1,2m as the historic approved plans had indicated and this will be addressed in this application.

The property owners were not aware of these transgressions that were occurring in terms of the OMLUS. To ensure compliance with the OMLUS and the By-Law, the submission of an application for the determination of an administrative penalty is required.



4. PROCEDURE TO ACHIEVE THE PROPERTY OWNERS' INTENT

4.1 Departure from the 2m eastern building line to 1,12m to allow the existing bathroom and balcony on the first floor of Erf 3940 Hermanus in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

Departure from the 2m eastern building line to 1,12m to allow the existing scullery on the ground floor of Erf 3940 Hermanus in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

As previously stated, the property was surveyed, and it was determined that existing structure was not built in the correct position. The existing ground- and first floor at the rear of the property, a bathroom was built only 1,12m from the erf boundary and not on the 1,2m building line as approved on the building plans.

A departure from the 2m building line is required, although previously approved to ensure compliance with the OMLUS and By-law. Refer to the figure below:

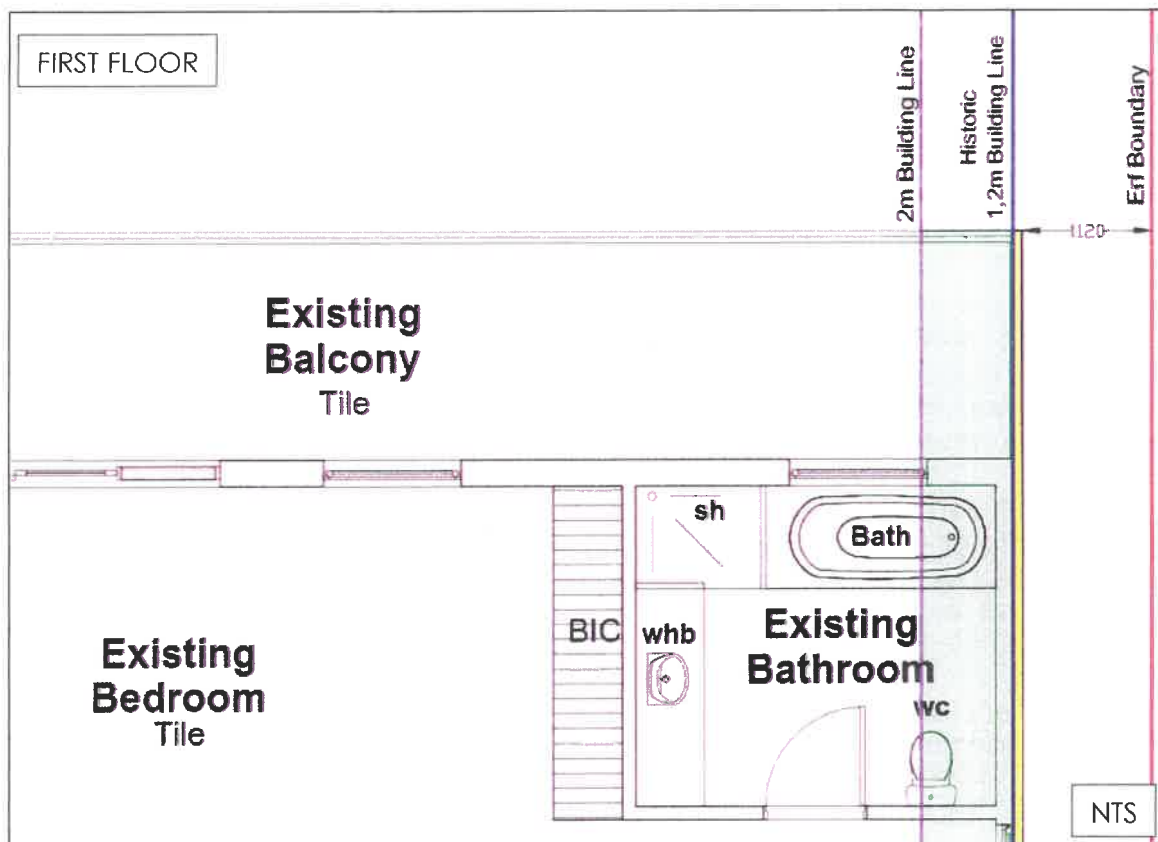


Figure 1: Existing first floor bathroom.

Only a small portion of the exterior wall is located over the historic 1,2m building line, as indicated in yellow above. The green is the total area being located within the 2m building currently applicable to the subject property.



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There are no windows on the first floor to ensure privacy to both the property owners and the neighbours. A bathroom is not considered a nuisance use and will only be used by the occupants of the bedroom.

4.2 Departure from the 2m eastern building line to 1,11m to allow the new balcony on the first floor of Erf 3940 Hermanus in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

Departure from the 2m eastern building line to 1,11m to allow the new covered patio on the ground floor of Erf 3940 Hermanus in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

The property owners have added a new balcony to the first floor creating a covered patio on the ground floor. The balcony will occasionally be used by the property owners and is not proposed to be a nuisance to the surrounding property owners. The patio on the ground floor was existing and was only covered due to the addition of the balcony above. No additional habitable space will be created as the following is applicable:

The OMLUS states:

"Interpretation of words not defined in the schedule will have the meanings assigned to them in the "New Shorter Oxford English Dictionary" published by Oxford University Press, except where a contrary interpretation is clear from the context."

"Habitable space" is not defined by the OMLUS and as mentioned above, the *Oxford English Dictionary* need to be consulted to correctly define the phrase.

"Habitable = Suitable or good enough to live in."

A balcony and covered patio cannot be considered as habitable as it is not "suitable or good enough to live in". The balcony and covered patio will occasionally be used by the property owners and does comply with the definition of habitable space.

The small area (6,5m²) on the first floor that was added to the side of the building, and we are of opinion that it is not out of character and only a small portion encroaches on the side building line. Only 0,89m of the balcony is within the 2m building line and the reasoning for the encroachment was to ensure the massing and architectural integrity of the property is being upheld. Refer to the figure on the following page:



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The addition of the new living room has in effect created a better situation for the subject property. The approved covered balcony was considered more of a nuisance than the new addition. The enclosure of the side of the covered balcony created a private space for both property owners.

The construction work has already occurred and has been finished, but it was never done with any malintent, and it is not predicted to have any effect on any other property owner. A new living room on the first floor is not considered a nuisance land use or out of character of the area and should be taken into consideration. Refer to the figure below:

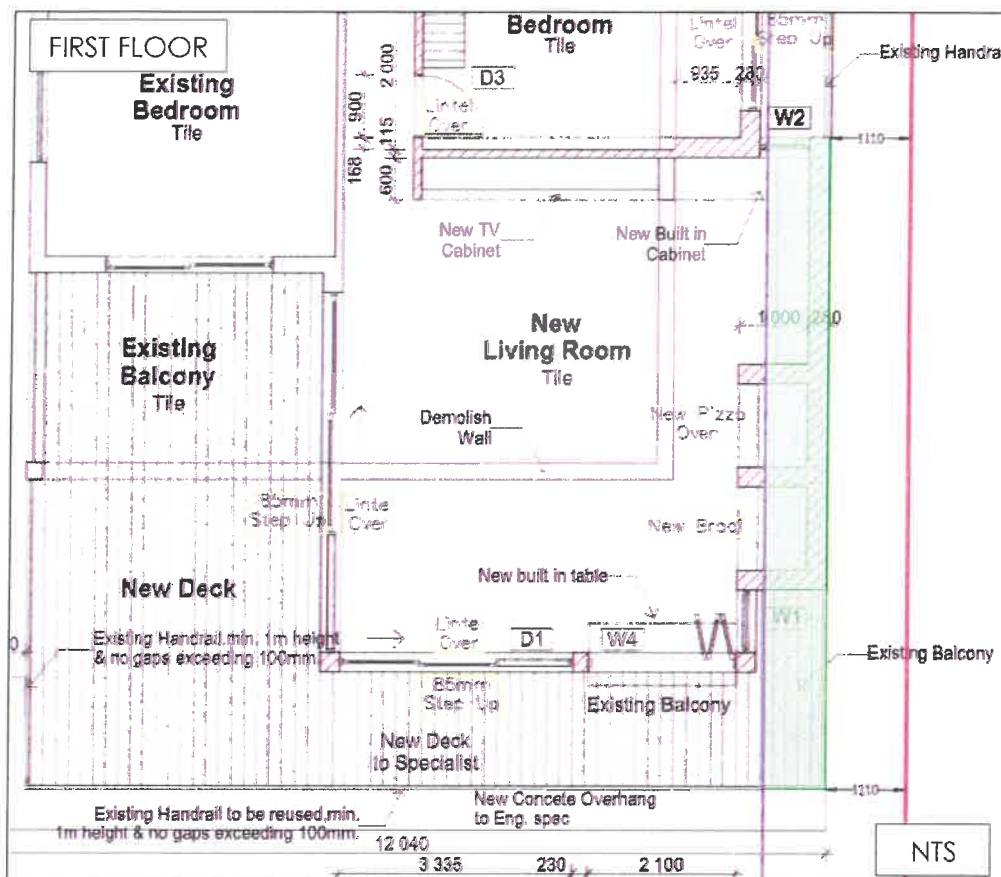


Figure 3: Renovation and addition of the existing covered balcony

4.4 Determination of an administrative penalty in terms of Section 16(2)(q) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended.

To ensure compliance with the By-law an application is required to be made for the determination of an administrative penalty. These additions being applied for above have already been built. None of these uses are proposed to be out of character or deemed a nuisance to the surrounding property owners.

The historically approved structure was also not built in the correct location which necessitated several of these required departures. The structure was built over the historic



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1,2m building line by approximately 0,09m. This was never done intentionally and is not considered to be impacting on any neighbouring property.

It was never the intention of the property owners to contravene as these additions were utilising the same massing and architectural lines of the existing structure. These additions have also in essence created a better situation for both property owners as both will enjoy more privacy.

Section 90(3) of the By-Law requires that the following be addressed:

The nature, duration, gravity, and extent of the contravention

Refer to Section 4.1 – 4.3 clearly indicates the contraventions that have occurred recently and historically.

The property owner enclosed the previously approved stoep on the first floor to create a new living room and balcony area. Additionally, a new first floor balcony was created that covered an existing stoep on the ground floor.

Room/Area	Floor	Area
New Living Room and Balcony	First Floor	±8,2m ²
New First Floor Balcony	First Floor	±6,5m ²
New Ground Floor Covered Patio Stoep	Ground Floor	±6,5m ²

It is requested that the maximum penalty is not imposed as the owners are not negatively affecting any other person in the area.

The conduct of the person (allegedly) involved in the contravention

The property owners were aware of the building work taking place, but it was never their intention to contravene. Their intention was to create a better situation and add privacy to their home, while ensuring the building remains architecturally viable.

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

Due to the small-scale nature of the encroachments a quantity surveyor was not appointed to calculate the cost of the building work.

Whether the unlawful conduct was stopped

The building work has been completed.

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

To the knowledge of this office, the property owners have not previously contravened the By-Law.



5. APPLICATION

Considering the above, the application is made for the following:

- 5.1 Departure** from the 2m eastern building line to 1,12m to allow the existing bathroom and balcony on the first floor of Erf 3940 Hermanus in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 5.2 Departure** from the 2m eastern building line to 1,12m to allow the existing scullery on the ground floor of Erf 3940 Hermanus in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 5.3 Departure** from the 2m eastern building line to 1,11m to allow the new balcony on the first floor of Erf 3940 Hermanus in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 5.4 Departure** from the 2m eastern building line to 1,11m to allow the new covered patio on the ground floor of Erf 3940 Hermanus in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 5.5 Departure** from the 2m eastern building line to 1,11m to allow the new living room on the first floor of Erf 3940 Hermanus in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 5.6 Departure** from the 2m eastern building line to 1,11m to allow the existing garage on the ground floor of Erf 3940 Hermanus in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 5.7 Determination of an administrative penalty** in terms of Section 16(2)(q) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended.

6. LAND USE ENVIRONMENT

The subject property is located within the residential area of Hermanus (Voëlklip) and is zoned Residential Zone 1: Single Residential. The surrounding area's zonings are illustrated in **Plan 2** (zoning plan).

7. TITLE DEED

The title deed of the subject property was perused (T28074/1998, refer **Annexure B**) and it contains no restrictive conditions.

8. ZONING

The following zoning parameters were assessed in conjunction with the SR1 OMLUS zoning as this is a relevant consideration in terms of Section 66 (1) (q) of the OM By-Law:



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RESIDENTIAL ZONE 1: SINGLE RESIDENTIAL		
Land Use Restrictions		
Primary use	Parameters	Proposal
	Crèche, Dwelling House , Guest Rooms, Home Occupation, Second Dwelling Unit and Self-Catering.	Dwelling House
Consent use that may be applied for	Day Care Centre, Green House, Guest House, House Shop, Institution, Place of Instruction, Place of Worship, Residential Building, and Intensive Horticulture.	N/A
Development parameters		
Coverage	The maximum coverage for all buildings on the land unit is determined in accordance with the net erf area: 400m ² and greater = 50%	Refer to Annexure C – Architects Building Plan
Building lines	(i) The street building line is determined in accordance with the net erf area: 400 m ² and greater = 4m (ii) The side and rear building lines are determined in accordance with the net erf area: Greater than 400 m ² = 2m	<u>Ground Floor</u> <ul style="list-style-type: none"> • Departure from the 2m eastern building line to 1,12m to allow the existing scullery on the ground floor • Departure from the 2m eastern building line to 1,11m to allow the new covered patio on the ground floor • Departure from the 2m eastern building line to 1,11m to allow the existing garage on the ground floor
		Comply
		Comply
		Applied and motivated



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		<p><u>First Floor</u></p> <ul style="list-style-type: none"> • Departure from the 2m eastern building line to 1,12m to allow the existing bathroom and balcony on the first floor • Departure from the 2m eastern building line to 1,11m to allow the new balcony on the first floor • Departure from the 2m eastern building line to 1,11m to allow the new living room on the first floor 	
Height	The maximum height of a building, measured from the base level to the top of the structure, is 8,0 m.	Existing – Double Storey	Comply
Garages and carports	Garages and carports may be constructed within building lines in accordance with Chapter 16.1.2.	Double Garage	Comply



9. SERVICES

The availability of services is a relevant consideration in terms of Section 42(1)(c)(v) of SPLUMA and is herewith illustrated.

Electricity, Water, Sewage and Solid Waste

The subject property is connected to the OM's networks, these include electricity, water and sewage. The proposal will not have an additional impact on existing network.

Solid waste is collected every week by the OM.

Access and Egress

The subject property currently obtains access and egress from 8th Street, Voëlklip.

10. NEED AND DESIRABILITY

The need and desirability of the approval and implementation of this proposal in accordance with Section 66 (1)(c) of the OM By-Law can be illustrated as follow:

Need and desirability

The need for the land use application arose from the property owners realising that the new additions that they added to their home was in contravention of the OMLUS. The desirability is to ensure that the home is compliant with all legislation applicable and that the municipal consent is obtained. The property owners to the east of the subject property will benefit from the addition as it has created additional privacy for them as well.

To achieve their vision, the property owners have appointed WRAP Project Office to submit this application to ensure the proposed consent use is not in contradiction with any policies, legislation, or title deed conditions.

Impact on views, sunlight, and character of the area

The proposal is not intended to have an impact of the views, sunlight, and character of the area. These additions are all residential related. A balcony, living room and small additions are not considered out of character. It is also not proposed that these additions will have a negative impact on the surrounding property owners as these encroachments are on a small scale. Only small portions of these additions are encroaching on the 2m building line.

Economic impact

These departures are not proposed to have an impact on the economy. When the construction took place the property owners employed local contractors to construct these additions which in turn created local jobs and added valuable income to the area.

Opportunity cost

An opportunity cost in the context of land use planning refers to a development proposal that leads to the devaluation or foregoing of valued land use rights of interested and affected parties when an application is approved. The proposal is not considered to



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have an impact on the surrounding area and not deemed a substantial enough application to affect any other person or property.

Impact on heritage

The subject property is not listed in the OM Heritage Register.

Environmental impact

The subject property is not located within an environmentally important area.

11. POLICIES AND REGULATIONS

11.1 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)

The subject property is not located within this zone.

11.2 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)

The subject property is not located within this zone.

11.3 Spatial Planning Policies

This proposal is not in conflict with any provisions of the Western Cape Provincial Spatial Development Framework, 2014 or the Overstrand Spatial Development Framework, 2020.

12. PLANNING PRINCIPLES

Chapter 2 of SPLUMA contains 5 uncompromisable planning principles by which each development application must be guided. Policy proposals in SPLUMA which are pertinent to this proposal are recorded below:

Spatial justice

Spatial justice refers to planning proposals that do not contribute towards the perpetuation of apartheid spatial development imbalances. This proposal for departures is not considered to be impacting on spatial justice.

Spatial sustainability

Spatial sustainability refers to planning proposals that result in communities that are viable. The proposal is only to utilise small sections encroaching on the building line where there will still be space between the boundary wall and the existing structures.

Efficiency

This proposal is intended to maximise the usage of the subject property and ensure the property owners' vision and intent for the property is being met.

Spatial resilience

This proposal is not in conflict with any spatial planning policies or other OM regulations which is a hallmark of resilience.

Good administration

The OM has a credible track record of good administration regarding the method of public participation. Public participation forms an integral part of the land use planning process. The public participation process provides people who may be affected by the



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proposal with an opportunity to provide comment and to raise issues of concern about the proposal or make possible suggestions that may result in an enhanced outcome of which both parties benefit. Comments will be reviewed and considered after which it will be addressed accordingly.



13. EVALUATION

This application is required as a result of the contravention that had occurred. These departures are being applied for to allow the property owners to enjoy the property to its maximum capability. Only small alterations were done to add value and realise the vision which the property owners had for the subject property.

It was never intended to knowingly encroach on the side building line. The only reasoning for the position was to follow the existing massing of the existing structure. These additions' uses are not out of character with the surrounding area and the situation which was created is considered better than what had previously existed. The adjacent property also has a first storey balcony located next to the section of the balcony that was enclosed.

The privacy of both property owners is considered better, and the balcony is not directly facing the next-door neighbour. In terms of the policies and guidelines of the OM the application adheres to these relevant spatial planning documents.

14. RECOMMENDATION

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

- 14.1 Departure** from the 2m eastern building line to 1,12m to allow the existing bathroom and balcony on the first floor of Erf 3940 Hermanus in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 14.2 Departure** from the 2m eastern building line to 1,12m to allow the existing scullery on the ground floor of Erf 3940 Hermanus in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 14.3 Departure** from the 2m eastern building line to 1,11m to allow the new balcony on the first floor of Erf 3940 Hermanus in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 14.4 Departure** from the 2m eastern building line to 1,11m to allow the new covered patio on the ground floor of Erf 3940 Hermanus in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 14.5 Departure** from the 2m eastern building line to 1,11m to allow the new living room on the first floor of Erf 3940 Hermanus in terms of Section 16(2)(b) of the



RECOMMENDATION

Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

- 14.6 Departure** from the 2m eastern building line to 1,11m to allow the existing garage on the ground floor of Erf 3940 Hermanus in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 14.7 Waiving of the determination of an administrative penalty** in terms of Section 16(2)(q) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended.

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS (NBR) AND THE NATIONAL FIRE BRANCH REGULATIONS (NFBR).
2. THE CLIENT HAS ADVISED THAT THE EXISTING STRUCTURE IS SOUND AND FIT FOR PURPOSE.
3. ALL MATERIALS AND WORKMANSHIP SHALL BE TO SATISFACTORY STANDARDS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
5. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
6. ALL UTILITIES SHALL BE IDENTIFIED AND PROTECTED PRIOR TO COMMENCEMENT OF WORK.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
8. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LANDSCAPE AND PLANTING.
10. ALL MATERIALS SHALL BE STORED PROPERLY ON SITE.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SERVICES AND UTILITIES.
12. ALL WORK SHALL BE COMPLETED TO THE SATISFACTION OF THE ARCHITECT AND THE CLIENT.

EXISTING WORK

Existing structure to be retained and renovated. The existing structure is a two-story building with a total floor area of 1,200m². The existing structure is to be renovated to meet the requirements of the National Building Regulations (NBR) and the National Fire Branch Regulations (NFBR).

NEW WORK

New living room, new kitchen, new bathroom, new bedroom, new garage, new driveway, new stairs, new roof, new windows, new doors, new lighting, new electrical, new plumbing, new heating, new cooling, new ventilation, new fire alarm, new fire extinguishers, new fire escape, new fire escape door, new fire escape window, new fire escape door, new fire escape window, new fire escape door, new fire escape window.

FINISHES

Internal walls: Plaster and paint. External walls: Plaster and paint. Floors: Tiles. Ceilings: Plaster. Windows: Aluminium. Doors: Timber. Stairs: Timber. Roof: Concrete. Driveway: Concrete. Garage: Concrete. Driveway: Concrete. Garage: Concrete.

NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS (NBR) AND THE NATIONAL FIRE BRANCH REGULATIONS (NFBR).

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

4. ALL UTILITIES SHALL BE IDENTIFIED AND PROTECTED PRIOR TO COMMENCEMENT OF WORK.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.

6. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LANDSCAPE AND PLANTING.

8. ALL MATERIALS SHALL BE STORED PROPERLY ON SITE.

9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SERVICES AND UTILITIES.

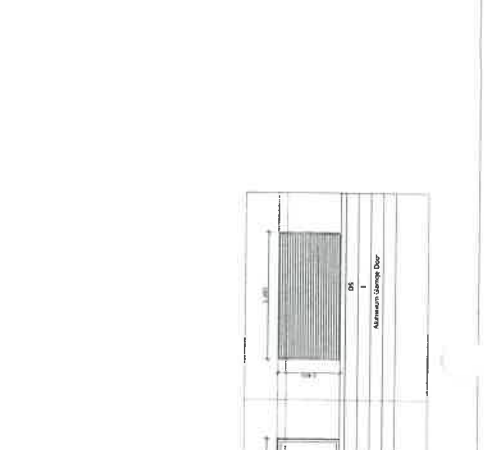
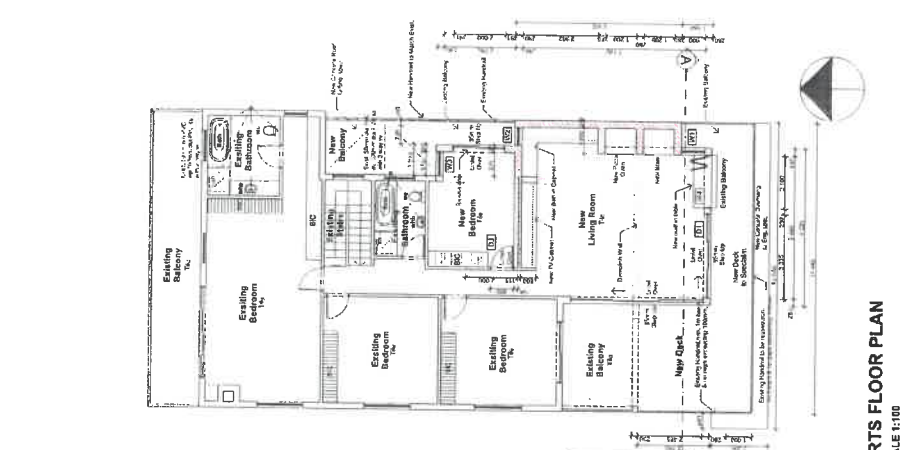
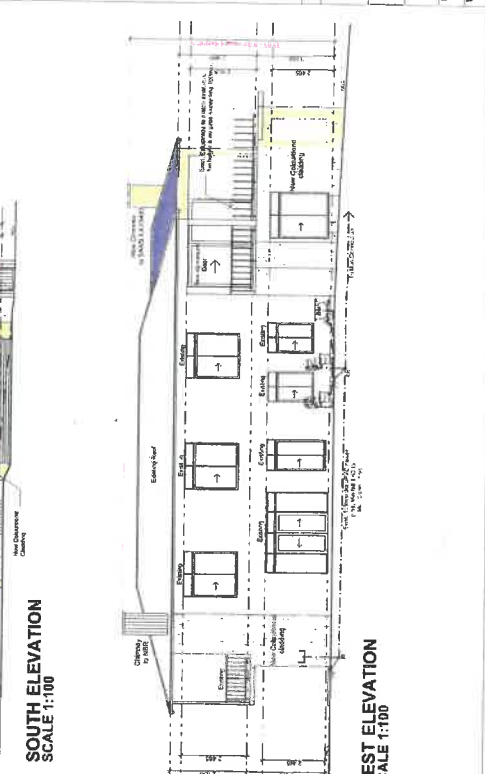
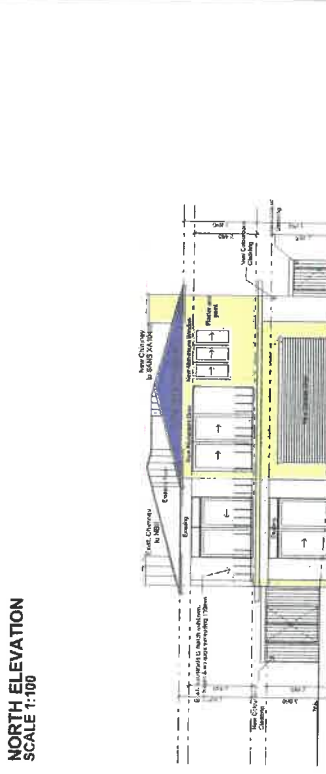
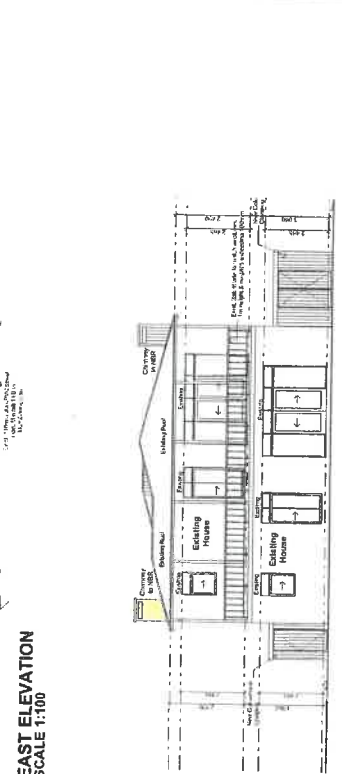
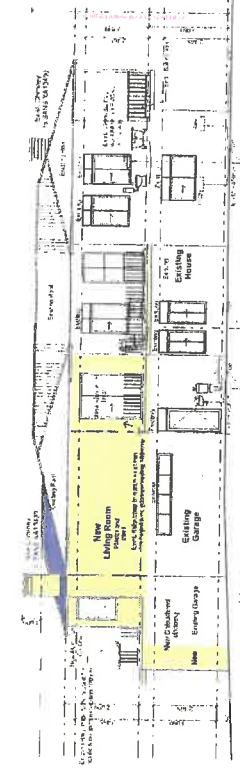
10. ALL WORK SHALL BE COMPLETED TO THE SATISFACTION OF THE ARCHITECT AND THE CLIENT.

Schedule of Areas	
Existing GFL	= 243m ²
Existing PFL	= 158m ²
TOTAL	= 401m ²
New Additions GFL	= 8m ²
New Additions PFL	= 41m ²
TOTAL New	= 49m ²
TOTAL New Area	= 49m ²
Ratio's	= 18m ²
Site Area	= 420m ²
Covered Area	= 50m ²
Coverage	= 50%

CLIENT: Mrs. O. Lee
ARCHITECT: Luke
PROJECT: Residential
DATE: 2024/01/01

IF IN DOUBT PLEASE ASK!

LUKE ARCHITECT
 Drawing No: R001
 Revision No: 001
 Scale: as shown
 Date: 2024/01/01



NO.	DESCRIPTION	UNIT	QTY	REMARKS
1	ALUMINIUM WINDOW	W1	1	As specified by manufacturer
2	ALUMINIUM WINDOW	W2	1	As specified by manufacturer
3	ALUMINIUM WINDOW	W3	1	As specified by manufacturer
4	ALUMINIUM WINDOW	W4	1	As specified by manufacturer
5	ALUMINIUM WINDOW	W5	1	As specified by manufacturer
6	ALUMINIUM WINDOW	W6	1	As specified by manufacturer
7	ALUMINIUM WINDOW	W7	1	As specified by manufacturer
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