

ERF 5122, 25 MIDDELRIVIER AVENUE, KLEINMOND: APPLICATION FOR DEPARTURE: M & A VAN JAARVELD

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 that an application has been received for a departure in terms of Section 16(2)(b) to accommodate the use change of the existing single garage into a study.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, Paterson Street, Hermanus and at the Kleinmond Library, Fifth Avenue, Kleinmond. Any written comments may be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law to the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) on or before **11 June 2021**, quoting your name, address and contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to the Senior Town Planner, **Ms. H van der Stoep** at 028-313 8900. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

ERF 5122, MIDDELRIVIERLAAN 25, KLEINMOND: AANSOEK OM AFWYKING: M & A VAN JAARVELD

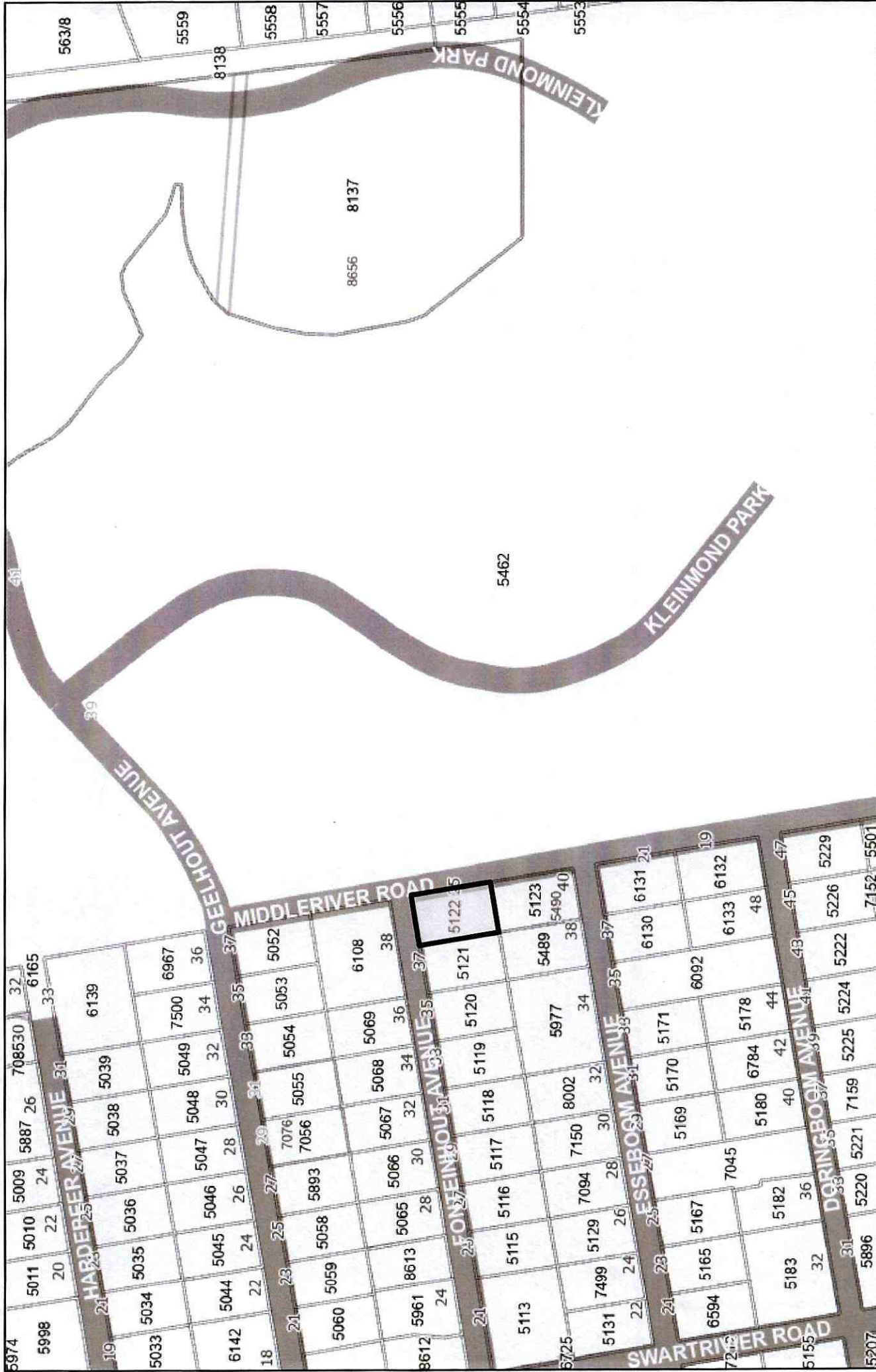
Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruikbeplanning, 2020 dat 'n aansoek om afwyking ingevolge Artikel 16(2)(b) ontvang is om die gebruiksverandering van die bestaande enkel motorhuis na 'n studeerkamer te akkommodeer.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus en by die Kleinmond Biblioteek, Vyfdelaan, Kleinmond. Enige kommentaar op die voorstel moet skriftelik ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening na die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) voor of op **11 Junie 2021**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan die Senior Stadsbeplanner, **Me. H van der Stoep** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

ISIZA 5122, 25 MIDDELRIVIER AVENUE, EKLEINMOND: ISICELO SOPHAMBUKO: M & A VAN JAARVELD

Isaziso siyanikezelwa ngokweCandelo lama-48, loMthetho kaMasipala oLungisiweyo woMasipala wase-Overstrand ongoCwangciso lokuSetyenziswa koMhlaba, 2020 sokokuba isicelo sifunyenwe sokuphambuka ngokwemiqathango yeCandelo 16(2)(b) ukulungiselela utshintsho losetyenziso lwesakhiwo esingaphandle kwiyunithi yokuhlala yesibini.

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ngeentsuku zomsebenzi phakathi kweyure-08:00 ne-16:30 kwiSebe: Town Planning, Paterson Street, Hermanus nakwiThala leeNcwadi laseKleinmond, Fifth Avenue, eKleinmond. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 zalo Mthetho oYilwayo kaMasipala mazithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) ngomhla okanye ngaphambi komhla **wama-11 kuJuni 2020**, unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuza into malunga nesi saziso ungatsalela umxeba **uNksk. H van der Stoep** kule nombolo 028-313 8900. UMasipala angala ukuzamkela izimvo ezifike emva komhla wokuvalwa. Nabani na ongakwaziyo ukufunda okanye ukubhala makaye kwiSebe loYilo lweDolophu apho igosa likamasipala liya kumncedisa azibhale izimvo zakhe.



MOTIVATION REPORT

ERF 5122, KLEINMOND: APPLICATION FOR THE PERMANENT DEPARTURE FROM THE PROVISIONS OF THE ZONING SCHEME AS PROVIDED FOR IN SECTION 16(2)(b)

GENERAL INFORMATION

We, Marius & Annamarie van Jaarsveld, have relocated from Bloemfontein to Kleinmond during December 2020, and have bought a house in a residential area situated at 25 Middeldrivier, Kleinmond.

Annamarie is still appointed on a contractual basis at the University of the Free State, working from home. Her work involves research and supervision of postgraduate students. As a retired lawyer, Marius is still involved in some legal work, inter alia contracts. To enable us to continue with the work as set out above, we need the use of a study at our home, which we currently do not have. This application is intended to obtain approval to use one of our garages as a study. The following annexures are attached hereto:

Annexure A: To-scale building plans & elevations indicating proposal.

Annexure B: Approved building plans - 5 March 2021.

Annexure C: Approved building plans - 27 May 2016.

Annexure D: Approved building plans - 12 February 1976.

Annexure E: Copy of Title Deed dated 8 January 2021.

Annexure F: Comments from the neighbours.

(A) PROPOSED DEVELOPMENT

The existing garage on the north western side of the house which is indicated on the attached approved plans, Annexures B, C and D as a garage, may be suitable to use as a study. There is another garage on the southern side of the house with a carport next to it, which will be sufficient for our cars, and access to the study will be available to and from the house through an existing door. The garage door on the northern side of the existing garage can be replaced by a window, and the door and window on the southern side by a double door, as indicated on the proposal contained in Annexure A.

The property is situated in the residential area of Kleinmond, and is accessible from the existing urban development, the main road through Kleinmond and other infrastructure in the environment. The use of the garage as a study will not generate additional traffic in the area due to the fact that such use will be private and personal to Marius and Annamarie.

There are no restrictive conditions contained in the Title Deed attached as Annexure E.

(B) CHARACTER OF THE ENVIRONMENT

Kleinmond is entirely surrounded by sensitive development areas mainly due to its settling between mountain and coastline, and consist of protected areas with the world renowned Kogelberg Biosphere reserve and Ramsar wetland at the mountainous backdrop of the town. Kleinmond predominantly functions as a retirement, residential

and holiday destination. The use of the garage as a study will not encroach on the environmentally sensitive areas, significant cultural landscape, or heritage sites.

(C) DESIRABILITY OF THE PROPOSED UTILISATION

The use of the garage as a study will not have an influence on the use of other properties in the area, nor will it encroach on the privacy of neighbours, street scenes or views. We have discussed our intention to use the garage as a study with our neighbours on the western side which are the only interested and affected parties that may be effected with such use, and they have no problem in this regard. Please see their written comment as contained in Annexure F.

(D) INVESTIGATIONS CARRIED OUT IN TERMS OF OTHER LAWS WHICH ARE RELEVANT TO THE CONSIDERATION OF THIS APPLICATION

No investigations in terms of other laws were necessary.

(E) THE IMPACT OF THE PROPOSES LAND DEVELOPMENT ON MUNICIPAL ENGINEERING SERVICES

The garage that may be used as a study is already provided with electricity, and no other municipal engineering services are necessary in this regard.

(F) CONSIDERATION OF FORWARD PLANNING AND LAND USE DOCUMENTS

The property is in line with the relevant zoning scheme regulations and forward planning documentation. This application only relates to the proposed permanent departure from the provisions of the zoning scheme for using a garage as a study.

(G) PLANNING PRINCIPLES

SPATIAL JUSTICE

The property is situated in an existing residential area, and the application will not have an influence on or the need to redress past spatial development imbalances.

SPACIAL SUSTAINABILITY

The proposed usage of a garage as a study will be one which will ensure the protection of environmentally sensitive and biodiversity rich areas in the vicinity, as well as the scenic and cultural landscapes.

EFFICIENCY

The use of an existing garage as a study will optimise the use of the current space, energy, infrastructure, and resources in the house, and will prevent further negative financial, social, economic, and environmental impacts.

SPATIAL RESILIENCE

The property is in an established residential neighbourhood, so this principle will not applicable.

GOOD ADMINISTRATION

The application is intended to promote the integrated consultative planning practise of the municipality, to ensure that a joint planning practice is pursued which is efficient, well run and where timeframe requirements are adhered to.

In this regard we undertake not to use the area for anything else than a study.

We hereby apply for approval to use the garage on the north western side of the house as a study as indicated Annexure A , and that a permanent departure from the provisions of the zoning scheme be approved in this regard.

Signed at KLEINMOND on 26 March 2021.



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Marius van Jaarsveld



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Annamarie van Jaarsveld

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www.ppiptac.com

NOTES

NOTE 1 - The drawings are for the proposed alterations to the existing structure. The client is responsible for ensuring that the proposed alterations comply with all applicable laws, regulations, codes, and standards. The client is also responsible for obtaining all necessary permits and approvals from the relevant authorities. The drawings are for the proposed alterations to the existing structure. The client is responsible for ensuring that the proposed alterations comply with all applicable laws, regulations, codes, and standards. The client is also responsible for obtaining all necessary permits and approvals from the relevant authorities.

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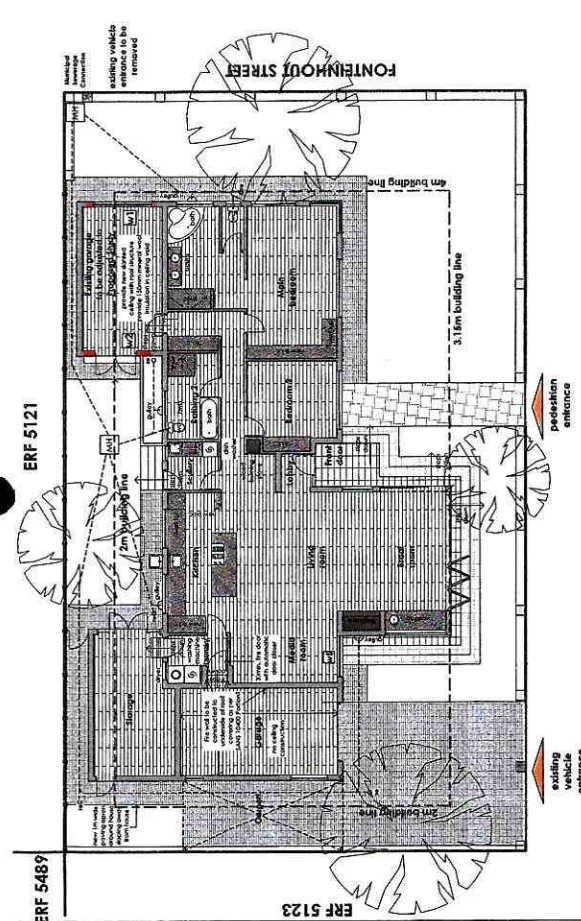
PROJECT
 ALTERATIONS & ADDITIONS TO EXISTING RESIDENCE
 ERF 5122
 25 MIDDELRIJVER AVENUE
 KLEINHOOFD

CLIENT
 HOUSE VAN JAARSVELD

DRAWING NO.
 P362.CD09.02

DATE
 MAR. 2021

APPROVED
 PV



Site area 362,77m²
 Total 232,47 Coverage 44%

ERF 5122 KLEINHOOFD

proposed floor plan
 scale 1:100

ERF 5489

ERF 5123

Fonteinhou Street

existing vehicle entrance
 proposed pedestrian entrance

3.15m building line

ERF 5121

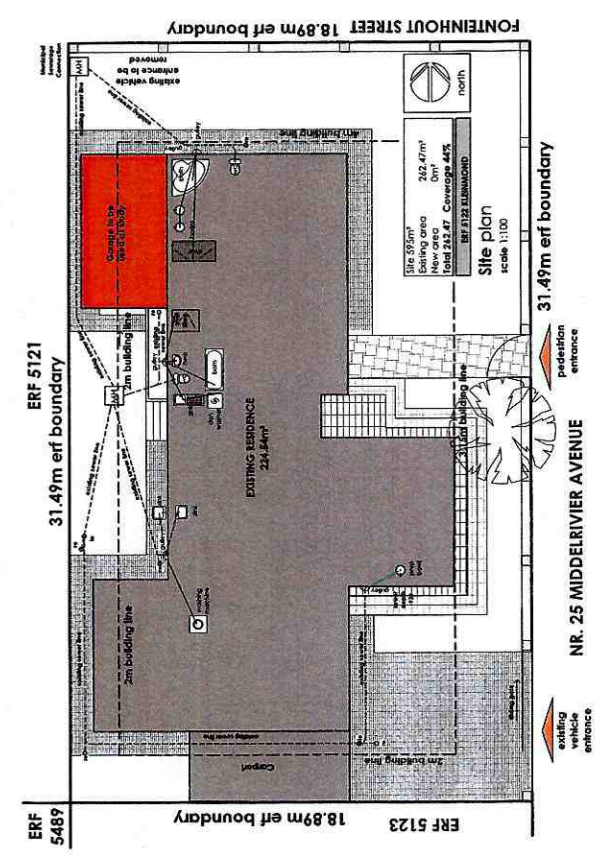
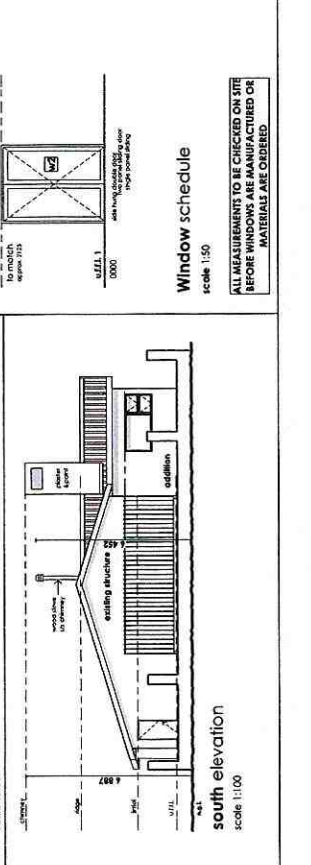
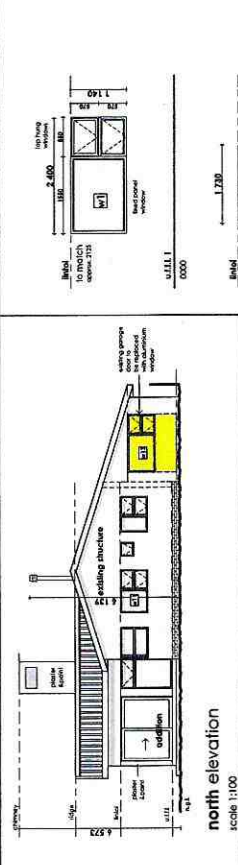
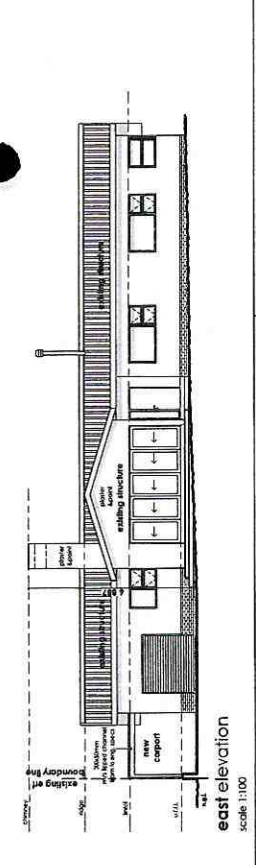
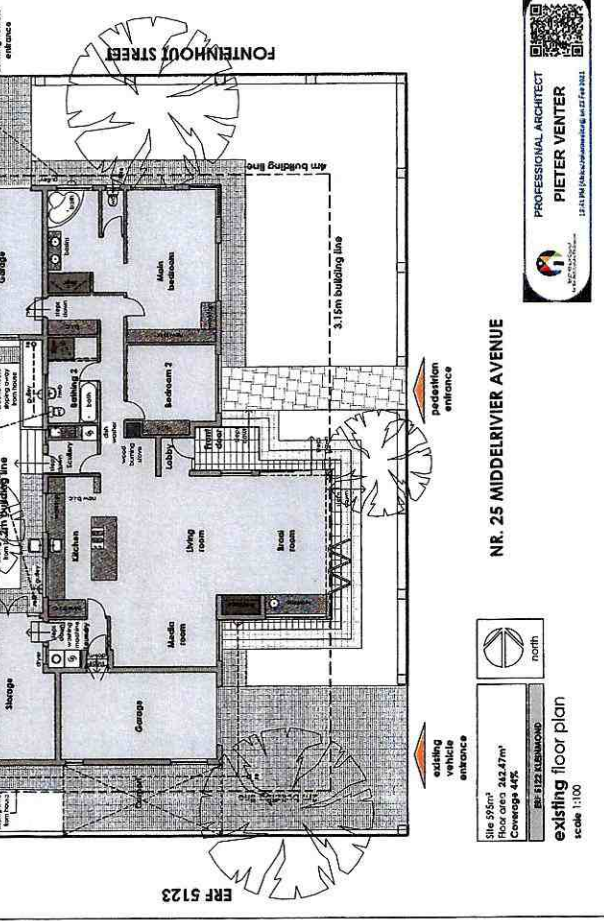
Living room
 Kitchen
 Dining room
 Main bedroom
 Garage
 Storage
 Laundry
 Bathroom
 Bedroom 2
 Bedroom 1
 Music room
 Front porch

existing vehicle entrance
 proposed pedestrian entrance

3.15m building line

ERF 5121

Fonteinhou Street



PROFESSIONAL ARCHITECT
PIETER VENTER
 12-13 Mt Pleasant Road, Durbanville, Cape Town
 021 461 1111

