

ERF 67, 58 NAUDÉ STREET, FRANSKRAAL, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE AND DEPARTURE: J GAMBO

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 applications has been received for the following:

- ❖ Consent use: in terms of Section 16(2)(o) to accommodate a dwelling unit (ground floor).
- ❖ Departure: in terms of Section 16(2)(b) for the following:
 - relaxation of the western lateral building line from 3m to 1.5m;
 - relaxation of the north eastern street building line from 3m to 2.36m.

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 at the Gansbaai Library, Main Road, Gansbaai. 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 **3 September 2021**, quoting your name, address and contact details, interest in the application and reasons for comment. Telephonic enquiries can be made to **Mr SW van der Merwe** 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 67, NAUDÉSTRAAT 58, FRANSKRAAL, OVERSTRAND MUNISIPALE AREA: AANSOEK OM VERGUNNINGSGEBRUIK EN AFWYKING: J GAMBO

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

- ❖ Vergunningsgebruik: ingevolge Artikel 16(2)(o) om 'n wooneenheid (grondvloer) te akkommodeer.
- ❖ Afwyking: ingevolge Artikel 16(2)(b) vir die volgende:
 - verslapping van die westelike lateraleboulyn vanaf 3m na 1.5m;
 - verslapping van die noordoostelike straatboulyn vanaf 3m na 2.36m.

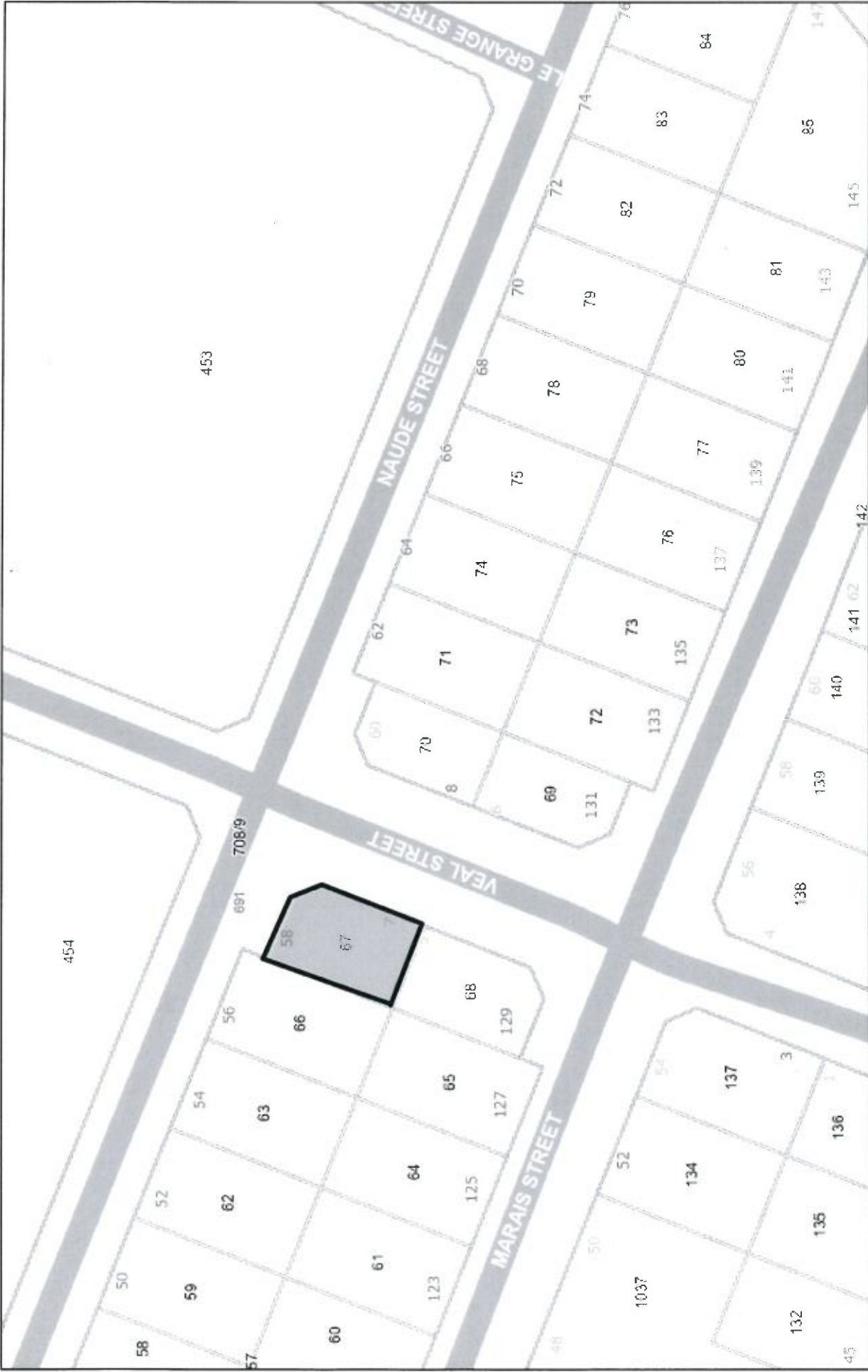
Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus en by die Gansbaai Biblioteek, Hoofweg, Gansbaai. Enige kommentaar op die voorstel moet skriftelik ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening na die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) voor of op **3 September 2021**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan **Mnr SW van der Merwe** 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 67, 58 NAUDÉ STREET, E-FRANSKRAAL, KUMMANDLA WOMASIPALA WASE-OVERSTRAND: ISICELO SEMVUME YOKUSETYENZISWA KWAYE NOKUPHAMBUKA: J GAMBO

Isaziso sikhutshwa ngokwemiqathango yeSoloty 48 loMthethwana oTshintshweyo kaMasipala waseOverstrand woYilo lokuSetyenziswa koMhlaba wowama-2020 (uMthethwana) ngokwezicelo esilandelayo, esichaphazela (lepropathi) ezifunyanweyo, ezizezi:

- Ukusetyenziswa kwemvume: ngokweCandelo le-16 (2) (o) ukulungiselela indawo yokuhlala (kumgangatho ophantsi).
- Utyeshelo lomqathango: ngokweCandelo le-16 (2) (b) loku kulandelayo:
 - ukunyeniyisa komda wesakhiwo osecaleni entshona ukusuka kwi-3m ukuya kwi-1.5m;
 - ukunyeniyisa umda wesitrato osepuma ukusuka kwi-3m ukuya kwi-2.36m

Inkcukacha ezipheleleyo ziyafumaneka ukuba zihlolwe ngeentsuku zomsebenzi phakathi kweyure-08:00 ne-16:30 kwiSebe: UCwanciso lweDolophu, Paterson Street, Hermanus nakwiThala leeNcwadi laseGansbaai. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 zalo Mthetho oYilwayo yaye mazithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / alida@overstrand.gov.za) ngomhla okanye ngaphambi komhla wama **3 uSeptemba 2021**, unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuza into malunga nesi saziso ungatsalela umnxeba **kuMnu. SW van der Merwe** kule nombolo yomxeba 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.



Date: 2021/02/10

ERF 67, 58 NAUDE STREET, FRANSKRAAL



APPLICATION FOR	CONSENT USE RIGHTS APPLICATION
PROPERTY DESCRIPTION	ERF 67, 58 NAUDE STREET, FRANSKRAALSTRAND
CURRENT ZONING	BUSINESS ZONE 3
MUNICIPAL AREA	OVERSTRAND MUNICIPALITY



APPLICATION	JEROME GAMBO
OWNER(S)	JEROME & LORNA GAMBO
DATE	22 APRIL 2021

Table of Content

1. Introduction
2. Locality
3. Legal
 - 3.1 Ownership
 - 3.2 Mortgage
4. Existing and surrounding land use
5. Proposed Addition
5. Engineering Services
7. Motivation
 - 7.1 Need and Desirability
 - 7.2 Regional Spatial development framework (RSDF) 2010/11
8. SPLUMLA Development Principles
9. Conclusion
 - Annexure A –Site Plan
 - Annexure B – West & South Elevation
 - Annexure C- East & North Elevation



The owners of Erf 67, Naude Street Franskraal Mr J Gambo and Mrs LJ Gambo hereby submit application for 'Consent Use'. The purpose of this application is to support the departure, the western building line and north eastern splay , Consent Use Rights for permanent two storey dwelling on the erf. There are no restrictive conditions on the Title Deed Building lines on Erf 67,herein after refer to as "the site".

Applying for the following encroachments as per SDP -:

- Western lateral building Line from 3m to 1,5m
- North eastern Splay from 3m to 2,36m

2. Locality



3. Legal



Legal information which is relevant and relate to this application is detailed as follows:

3.1 Ownership

Property Details	Registered Owners	Title Deed Number	Extent (m2)
Erf 67	Mr J Gambo Mrs L.J Gambo	T 30094/2020	452

3.2 Mortgage Bond

There is a no mortgage bond affixed to this property.

4. Existing and Surrounding land

The subject site is currently vacant. The subject erf is surrounded by Residential homes on the Southern, Western and Eastern side, a mixture of single and double storey with a sport and recreational facility on the North East side.

5. Proposed Development

The purpose of this application is to support the departure, namely the relaxation of the northern and eastern building line from three meters to one point five zero meters. Consent Use Rights for a two storey dwelling for residential purposes

6. Engineering Services

The proposed development will not require any additional services to be supplied on site as a result would use the current available infrastructure.

7. Motivation

The motivation is expressed in terms of the need and desirability in respect of the subject site.

7.1 Need and Desirability

The proposed Consent Use Rights for two storey dwelling for residential purposes for the applicants to use as a holiday home and, as they are nearing retirement and also wish to use the revenue made from renting out the property.

As the above mentioned will be inside the given building lines, we propose that the Western Building lines be relaxed from two meters to one point five zero meters so as to accommodate the development and also comfortable distance to allow for privacy to surrounding properties .

Whilst there is no restrictive conditions in the Title Deed ,T 30094/2020, successful application for 'consent use rights' will add immeasurable value to the development and surrounding homes as departure from business use .

Regards To	Reasons
Financial Value	Financially the value of the property will increase in value for resell purposes as well providing for the current and future owner to benefit from income generated either by renting out the dwelling
Personal Benefit	The personal value of the property will increase and the additional benefits could be if and when the owner decides to rent out the dwelling
Social Benefit, Keeping Restrictions	Socially there is no benefit to the public, the owner is the sole beneficiary on the property and so keeping the above- mentioned restrictions will have no impact whether it is removed or kept. The approval for Consent

	Use Rights will allow for the dwelling but no business eg shop ,gallery would be conducted from the property.
Social Benefit, Removing Restriction	Socially there is no benefit to the public, the owner is the sole beneficiary on the property and only benefit would be approval for Consent Use Rights to build the two storey dwelling for their enjoyment
Removal of Rights to public	Not Applicable, as this would be a private dwelling and public has no access
Public Interest	It is in the public interest that houses in Naude Street be maintained, kept clean, modern and up to date as it keeps value to the neighbourhood and surrounding properties.

7.2 Overstrand Municipality Spatial Development Framework (OMSDF) 2020

The property is located in the residential area of Franskraal, Gansbaai. The OMSDF 2020 clearly sets out the objective of the sub area by ensuring that the neighbourhood character and residential amenity of Franskraal and the surrounding should be retained and protected. The approval of the application will allow a use which is in support of the residential amenity of Franskraal. The site will retain the Business primary rights, thus ensuring it conforms to residential characteristics.



Extract from 2020 MSDF Spatial Proposal Franskraal Birkenhead

8. SPLUMLA Development Principles

In terms of the Spatial Planning and Land use Management Act (Act 16 of 2013) (SPLUMLA), the following principles apply to spatial planning, land development and land use management and are hereby applied to this application:

SPLUMLA		Proposed Development Compliance
7(a)	Spatial Justice	Not applicable for this application
7(b)	Spatial Sustainability	The proposed development encompasses the following aspects of Spatial Sustainability: from an economic perspective it promotes and stimulates the equitable functioning of land .Environmentally it upholds consistency of land use measures in accordance with environmental instruments. Taking into consideration infrastructure and social services for future, no additional provisions will be necessary.



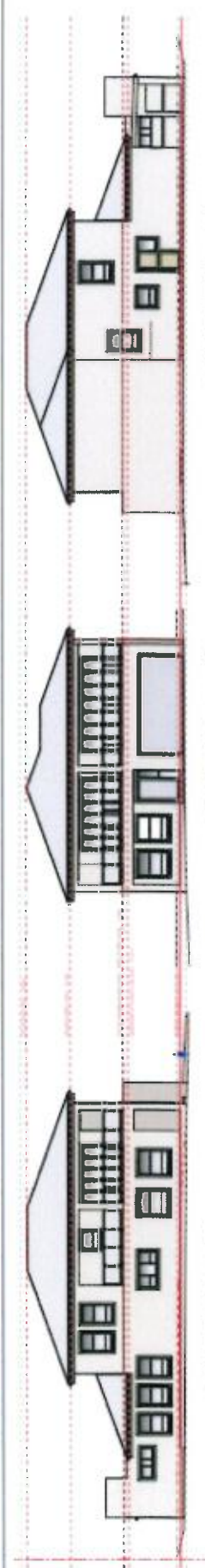
7(c)	Efficiency	The principles of efficiency will be completely applied and adhered to in this development as the dwelling will ensure that the best possible use of infrastructure would be optimally used
7(d)	Spatial Resilience	The application provides for a land use within an existing approved structure, with full compliance of the National Building Regulations.
7(e)	Good Administration	The application would not be in contravention with the development policy of Franskraal and this application followed the required planning procedures to ensure that land use activity is in line with Municipal By-Laws and the public process has been followed.

9. Conclusion

It is clear that based on the above motivation and application for the relaxation of the respective building lines, that the proposed development of Erf 67 Franskraal, will result in the property being developed to substantially improved in value and will be giving the owners peace of mind and stability. This development would be in the future, financially beneficial for the couple as they would be retiring there.

We therefor recommend that the application be approved

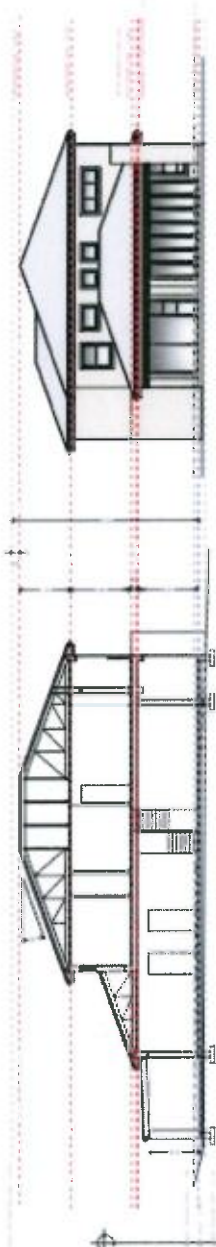




EAST ELEVATION 1:100

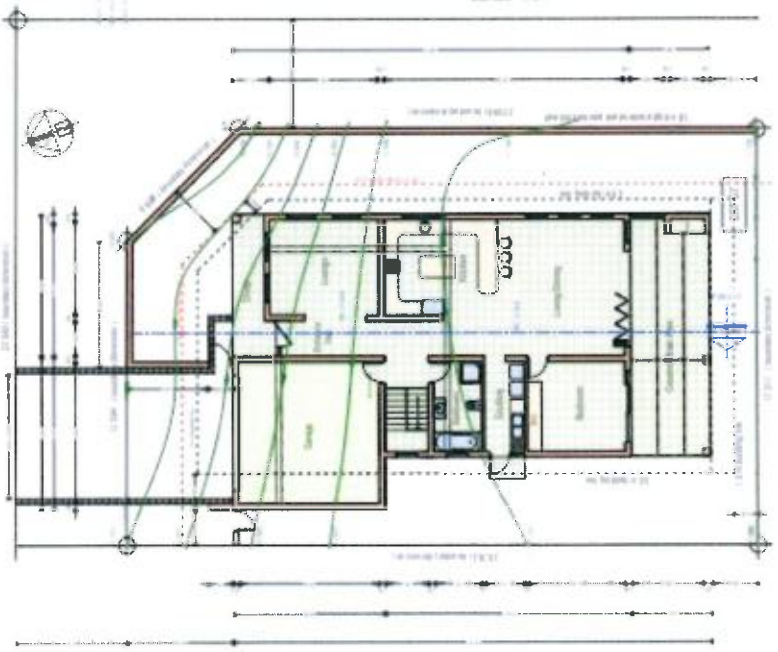
NORTH ELEVATION 1:100

WEST ELEVATION 1:100



SECTION A 1:100

SOUTH ELEVATION 1:100



SITE & GROUND STOREY LAYOUT PLAN 1:100



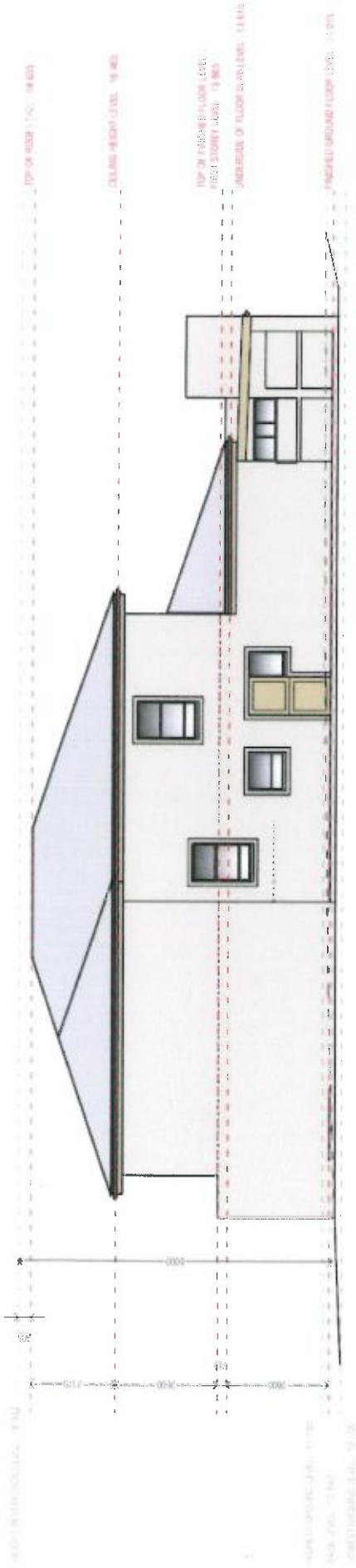
FIRST STOREY LAYOUT PLAN 1:100



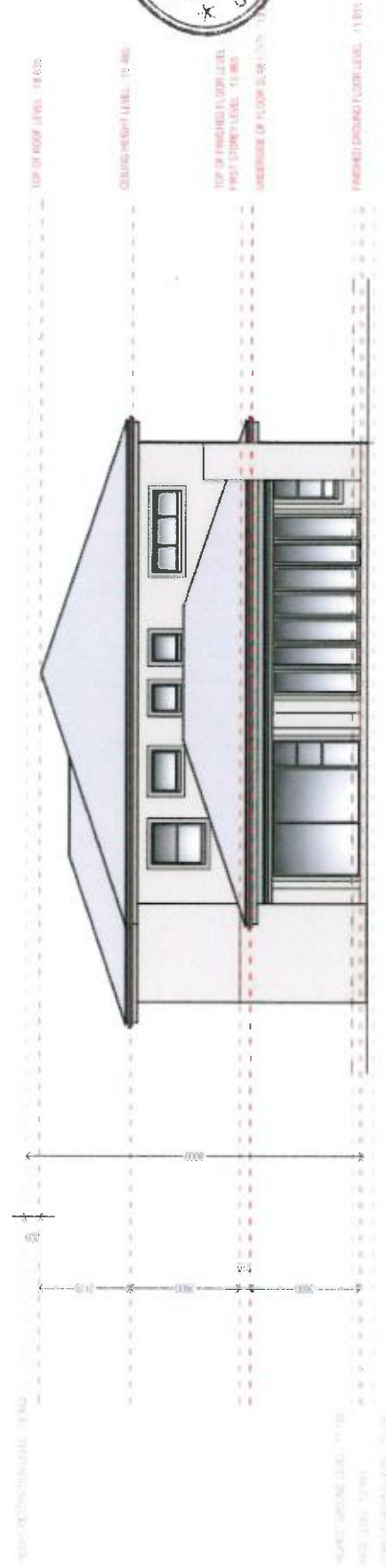
AREA CALCULATIONS

Ground Storey	: 177,98 m ²
Roof	: 8,77 m ²
Covered Area	: 34,80 m ²
Sub Total	: 220,55 m ²
First Storey	: 119,16 m ²
Subtotal	: 29,88 m ²
Sub Total	: 149,04 m ²
Total	: 369,57 m ²
Property Extent	: 462 m ²
Coverage	: 48,79 % (220,55 m ²)

PROPOSED DWELLING ON ERF 67
58 NAUDE STREET
FRANSKRAAL



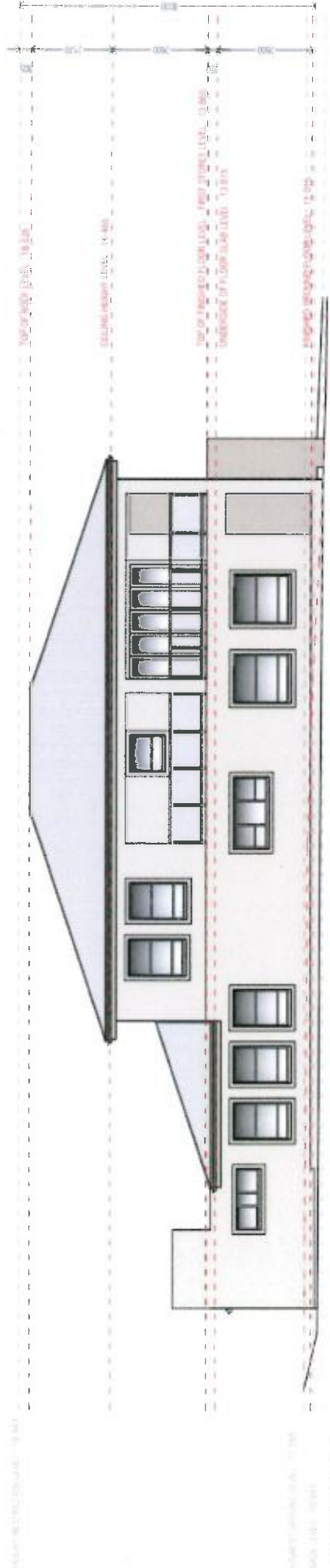
WEST ELEVATION 1 : 100



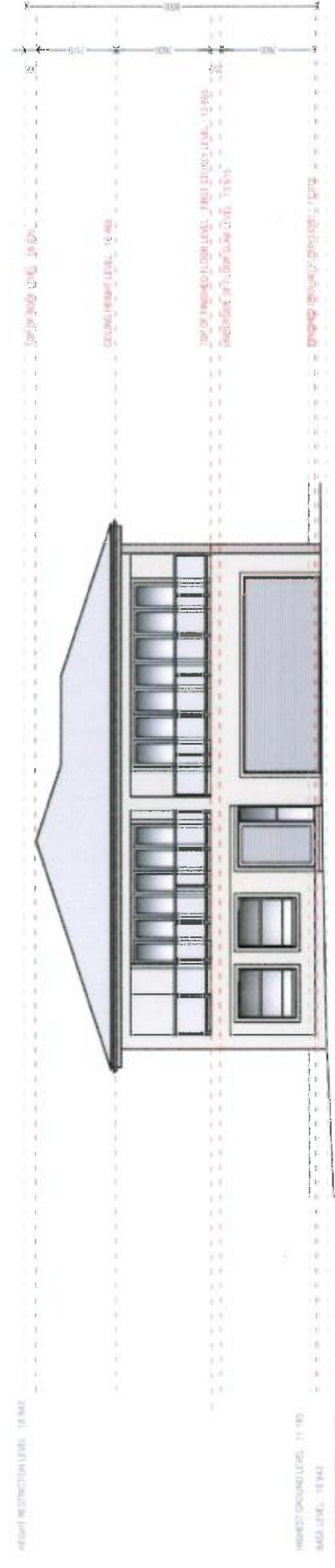
SOUTH ELEVATION 1 : 100



Annexure C – East & North Elevation



EAST ELEVATION 1 : 100



NORTH ELEVATION 1 : 100

