

**ERF 2174, 3 FRANCOLIN CLOSE, VERMONT: APPLICATION FOR DEPARTURE: CHISEL COLLECTIVE (obo JA & C VAN SCHALKWYK)**

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 relax the Land Use Scheme building lines in terms of the Zoning Scheme as follows:

- Southern rear building line from 3m to 2m to accommodate the dwelling.
- Northern lateral building line from 2m to 0m to accommodate proposed single garage 1.
- Western lateral building line from 2m to 0m to accommodate proposed single garage 2.
- Street building line from Lynx Road from 5m to 4m.

Application is also made to relax the Architectural Guidelines building lines as follows:

- Northern lateral building line from 2m to 0m to accommodate a garage.
- External building line with Lynx Road from 5m to 4m to accommodate a garage.
- Western lateral building line from 2m to 0m to accommodate a garage.
- Rear building line from 3m to 2m to accommodate a double storey portion.

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. 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](mailto:loretta@overstrand.gov.za)) on or before **8 October 2021**, quoting your name, address and contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to the Town Planner, **Mr. H Olivier** 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 2174, FRANCOLINSLOT 3, VERMONT: AANSOEK OM AFWYKING: CHISEL COLLECTIVE (nms JA & C VAN SCHALKWYK)**

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruikbeplanning, 2020 dat 'n aansoek om afwyking ontvang is ingevolge Artikel 16(2)(b) om die Grondgebruikskema se boulyne ingevolge die Skema Regulasies soos volg te verslap:

- Suidelike agterboulyn vanaf 3m na 2m om die woonhuis te akkommodeer.
- Noordelike syboulyn vanaf 2m na 0m om voorgestelde enkel motorhuis 1 te akkommodeer.
- Westelike syboulyn vanaf 2m na 0m om voorgestelde enkel motorhuis 2 te akkommodeer.
- Straatboulyn met Lynxweg vanaf 5m na 4m.

Aansoek is ook ontvang om die Argitektonieseriglyne se boulyne soos volg te verslap:

- Noordelike syboulyn vanaf 2m na 0m om 'n motorhuis te akkommodeer.
- Eksterne boulyn met Lynxweg vanaf 5m na 4m om 'n motorhuis te akkommodeer.
- Westelike syboulyn vanaf 2m na 0m om 'n motorhuis te akkommodeer.
- Agterboulyn vanaf 3m na 2m om 'n dubbel verdieping gedeelte 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. 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](mailto:loretta@overstrand.gov.za)) voor of op **8 Oktober 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 Stadsbeplanner, **Mnr. H Olivier** 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.

**ERF 2174, 3 FRANCOLIN VALA, VERMONT: ISICELO SOKUPHANBUKA: ICHISEL COLLECTIVE (obo JA & C VAN SCHALKWYK)**

Isaziso siyanikezelwa ngokweCandelo lama-48 loMthetho kaMasipala oLungisiweyo kaMasipala wase-Overstrand woCwangciso lokuSetyenziswa koMhlaba kaMasipala, 2020 ukuba isicelo sifunyenwe sokusuka ngokweCandelo le-16 (2) (b) lokuphumeza iSkimu sokuSetyenziswa koMhlaba Imigca yokwakha ngokweNkqubo yezoCando ngolu hlobo lulandelayo:

- Umda wokwakha ongamazantsi ukusuka kwi-3m ukuya kwi-2m ukulungiselela indawo yokuhlala.
- Umda wesakhiwo osecaleni oseNtla ukusuka kwi-2m ukuya kwi-0m ukulungiselela igaraji enye ecetywayo 1.
- Umda wolwakhiwo lwaseNtshona osecaleni ukusuka kwi-2m ukuya kwi-0m ukulungiselela igaraji enye ecetywayo 2.
- Umgca wolwakhiwo lwesitalato ukusuka kwiLynx Road ukusuka kwi-5m ukuya kwi-4m.

Isicelo senziwe kwakhona sokuhlaziya iikhokelo zokwakha imigca ngolu hlobo lulandelayo:

- Umda wesakhiwo osecaleni oseNtla ukusuka kwi-2m ukuya kwi-0m ukulungiselela igaraji
- Umgca wesakhiwo sangaphandle kunye neLynx Road ukusuka kwi-5m ukuya kwi-4m ukulungiselela igaraji
- Umda wesakhiwo osecaleni waseNtshona ukusuka kwi-2m ukuya kwi-0m ukulungiselela igaraji.
- Umda wolwakhiwo lwaseMva ukusuka kwi-3m ukuya kwi-2m ukulungiselela indawo enemigangatho emibini

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ngeentsuku zomsebenzi phakathi kweyure-08:00 ne-16:30 kwiSebe: Town Planning, 16 Paterson Street, Hermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 zalo Mthetho oYilwayo mazithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) ngomhla okanye ngaphambi komhla **wama 8 Okthobha wama 2021**, unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuza into malunga nesi saziso ungatsalela umnxeba **uMnu. H Olivier** 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.



39 Lower Rochester road  
OBSERVATORY  
7925

21 July 2021

**RE: MOTIVATION FOR PERMANENT DEPARTURE APPLICATION - 3 FRANCOLIN CLOSE - ERF 2174**

Aletta J. van Schalkwyk is acting as primary agent on behalf of the clients, Johannes A. van Schalkwyk & Catharina van Schalkwyk, the owners for the above mentioned property.

We hereby motivate for the application to relax the following Overstrand Zoning restrictions:

- Northern Common boundary building line from 2m to 0m to accommodate Single Garage 1.
- Eastern street building line - Partial relaxation from 5m to 4m to accommodate Single Garage 1.
- Western common boundary line from 2m to 0m to accommodate Single Garage 2
- Southern Rear boundary – building line from 3m to 2m.

Architectural guideline relaxation:

- Northern Common boundary building line from 2m to 0m to accommodate Single Garage 1.
- Eastern External street building line - Partial relaxation from 5m to 4m to accommodate Single Garage 1.
- Western common boundary line from 2m to 0m to accommodate Single Garage 2
- Southern Rear boundary – building line from 3m to 2m.

**A. PROPOSED DEVELOPMENT**

The proposed development is a single storey, new dwelling, which is in line with the current zoning and home owners association guidelines.

We are proposing to add 2 new garages on the 0 meters common boundary line. Garage 1 will be built next to the council approved Garage on Erf 2173, at 0m building line on the Northern common boundary, and Garage 2 at 0 meters on the Western Common boundary.

Both Garages will not exceed the 3.5m max. height restriction, and will therefore have minimal impact on the neighbours.

Access to the site from Lynx road is not permitted, and therefore does not allow our client to position the garage to the rear of the site. Due to this regulation, they have no other alternative than to place the garage off Francolin close and on the 0m boundary line.

This is an unusual case as the site is further restricted by two street boundaries, and because the site is very small and heavily restricted, encroachments are necessary to accommodate HOA regulations for a double garage and min. 100m<sup>2</sup> dwelling area.

We further motivate for the relaxation of the 5m road widening restriction from Lynx road, from 5m to 4m. We would like to motivate that the garage length (Garage 1), with the necessary turning circles and manoeuvrability in the driveway will not be possible unless this relaxation is granted. A precedent has been

set, as the Lynx road street building line has been relaxed to 4m on Erf 2173, we therefore encourage zoning to grant us similar consent, on the neighbouring property Erf 2174.

The property has a 2m Service servitude from the rear boundary. We motivate that the 3m rear building line be relaxed to 2m, to allow for much needed space within the proposed new dwelling, in line with the servitude. We therefore trust that approval will be granted for this departure.

#### B. CHARACTER OF THE ENVIRONMENT

The proposed property complies with the Home Owners association aesthetic guidelines and building plans have been stamped and endorsed by Francolin Heights Home Owners association and therefore, as they have no objection to our proposal, we are confident that there is minimal impact to neighbouring properties and character of the surrounding area.

The proposed new structures do not impact Heritage and is not located in a Heritage area, and therefore no heritage permit or application is required.

The proposed new dwelling is further positioned to shield living areas and large openings from neighbours, so as not to impose on their privacy.

#### C. PROPOSED UTILISATION

The property is situated in a residential area and will therefore positively impact the development potential in the area. It also has no negative consequences for other potential uses, as the area is zoned for Single residential use. The development of this property will encourage further development in the immediate surrounding properties, which are largely underdeveloped due to the small plot sizes and strict zoning restrictions.

#### D. PRIOR INVESTIGATIONS

The applicant/agent met with Henk Olivier (Town planner) to discuss the proposed development and initial concept design in 2018. Subsequent further design development ensued, to incorporate layout changes and reduced setback departures changes.

#### E. IMPACT ON MUNICIPAL ENGINEERING SERVICES

The proposed structures do not impact any external engineering services as the proposed new dwelling is within the demarcated property area and existing infrastructure is in place for residential development, therefore the proposed new dwelling will not place additional strain on Municipal Services.

Further to this, no services from neighbours will be moved, touched or altered. We therefore motivate that the application be approved.

The proposed new building will have minimal impact on traffic as the property and surrounding road networks in the area are already developed and zoned for residential development.

#### F. CONSIDERATION OF FORWARD PLANNING & LAND USE DOCUMENTS

The proposed land use is in line with the relevant zoning scheme regulations.

#### G. PLANNING PRINCIPLES

The proposed new dwelling is positioned to optimize the North facing facades and openings. This will improve the energy efficiency of the building.

The building is also positioned to allow for maximum functionality on a small footprint. The owners are retired and do not wish to enlarge the house by adding a second storey, due to mobility and maintenance in their senior years. This will also substantially increase the building cost which will make it financially unviable for my clients to move ahead with this development.

We also motivate that the proposed development comply with the Municipal Spatial development framework and policy to promote densification and development in the area, and as such we see no reason why the departures cannot be approved.

## 2. SITE PHOTOS



From Francolin close - Proposed new gate



From Lynx Road - North-East Corner



Views towards North-East corner

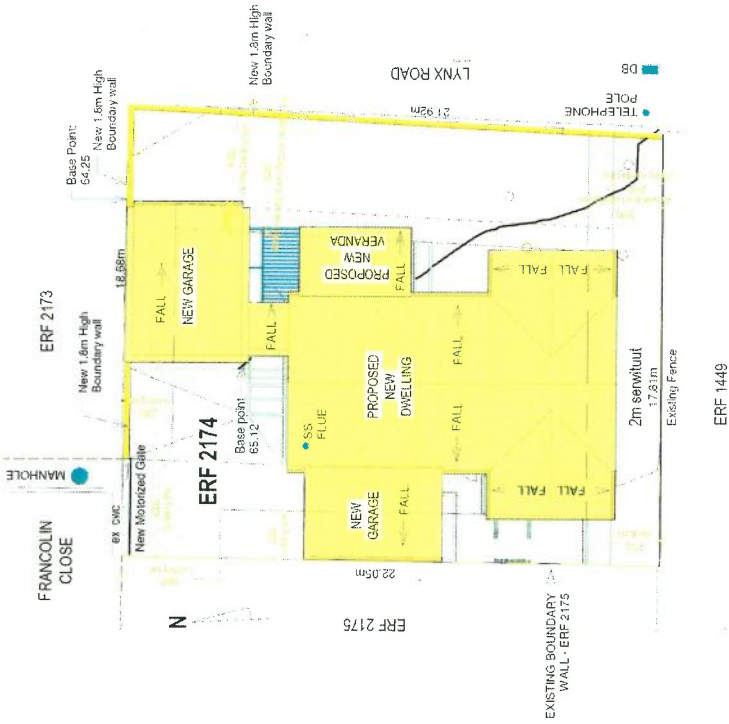


Towards South-East Corner - From Francolin close proposed new gate

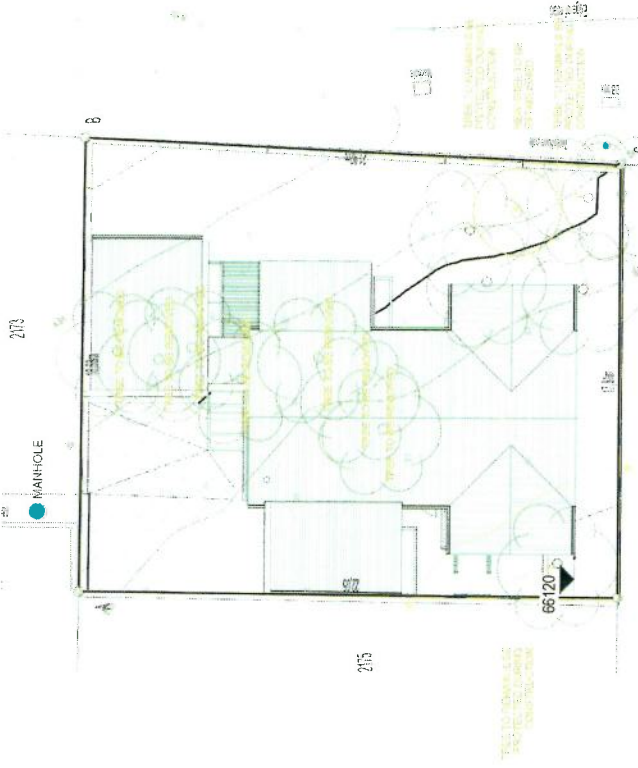
In lieu of the above, we trust that you will see fit to approve our application for the above mentioned departures.

Yours sincerely,

Leanie (A.J.) van Schalkwyk  
Professional Architect



1 Site Plan (Council)  
1:200



3 Site Plan (Survey Overlay)  
1:200

<b>AREA CALCULATION:</b>
ERF SIZE: 401sqm
COVERAGE: 44%
HOUSE: 110sqm
GARAGES: 54sqm
VERANDA: 18sqm
1.8m HIGH BOUNDARY WALL: 36.6m

HOME OWNERS ASSOCIATION  
*H. de Villiers*  
PLAN APPROVAL P. DE VILLIERS

Approval

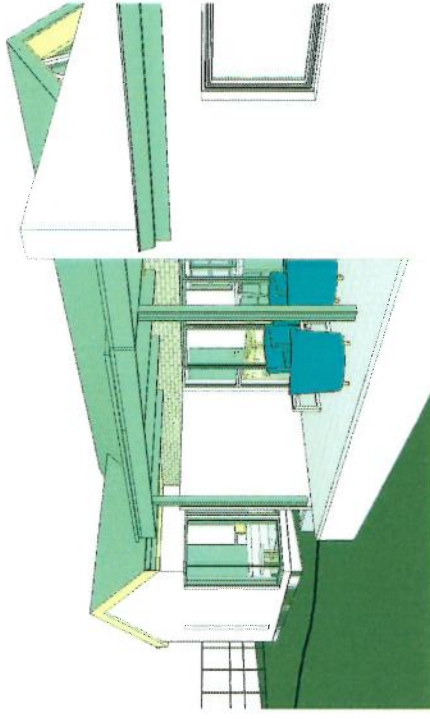
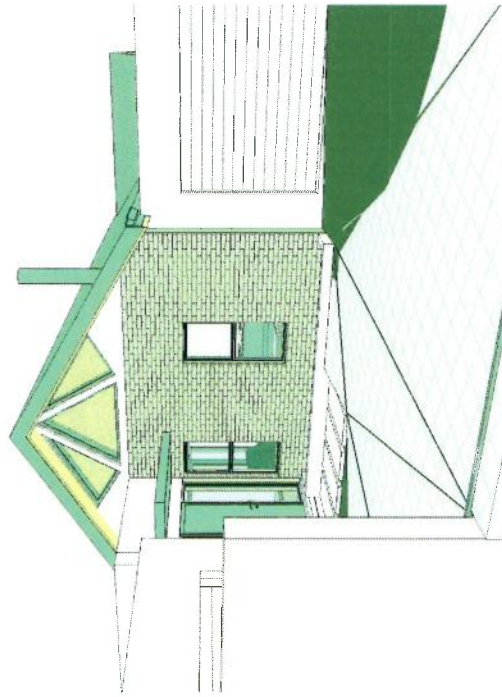
Client Signature

*[Handwritten Signature]*

Architect Signature

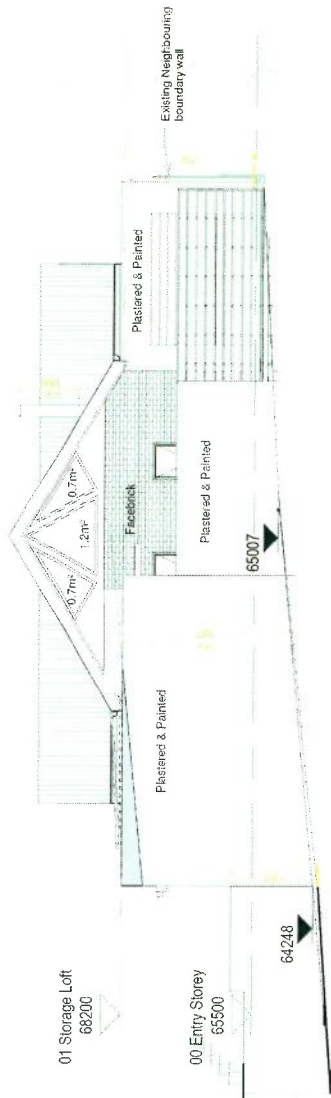
*[Handwritten Signature]*



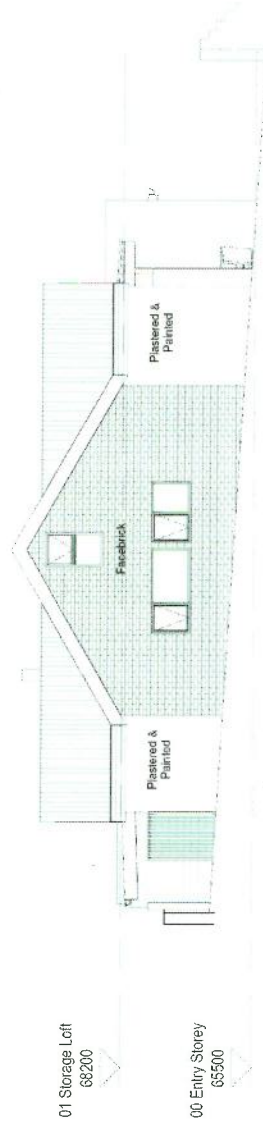


ERF  
ADDRESS

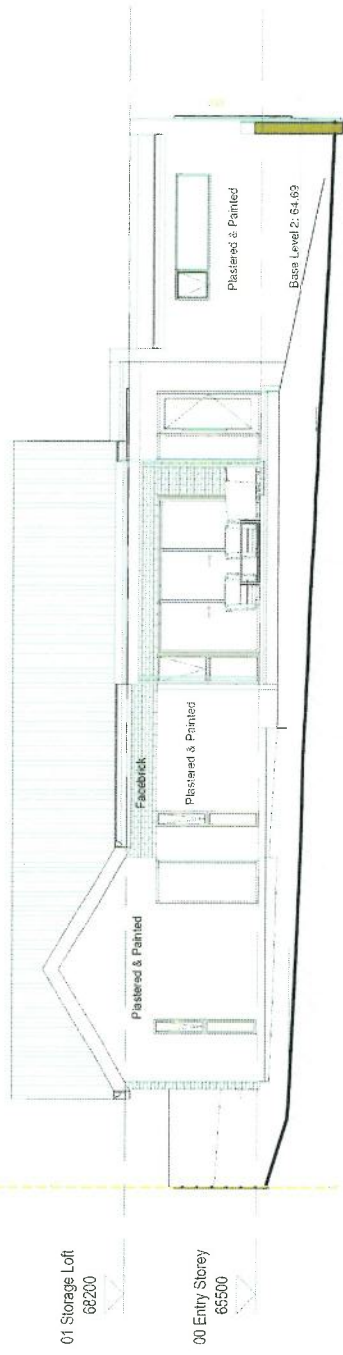
2174  
3 Francolin close, Vermont



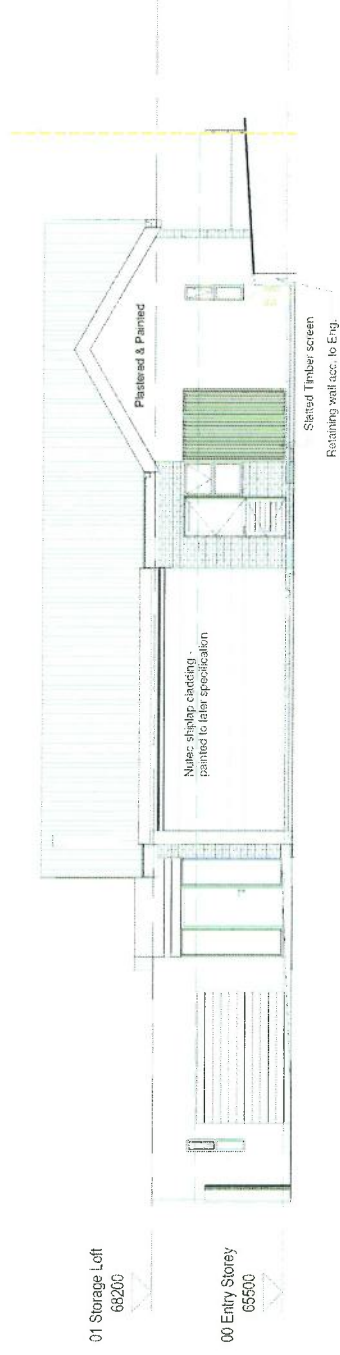
6 North Elevation (Council)  
1 : 100



7 South Elevation (Council)  
1 : 100



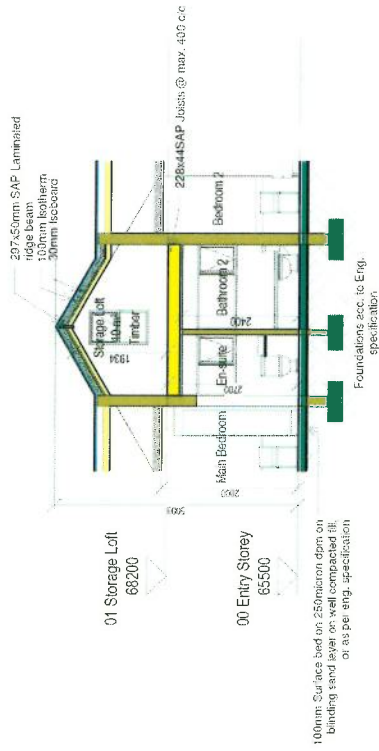
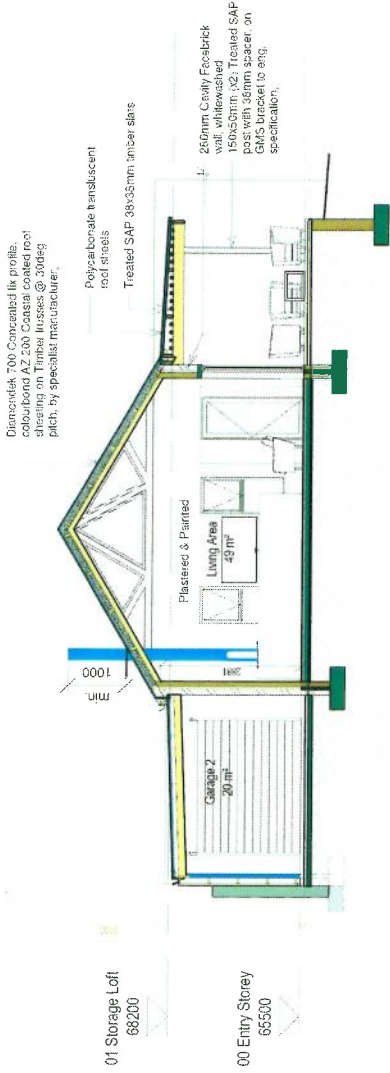
8 East Elevation (Council)  
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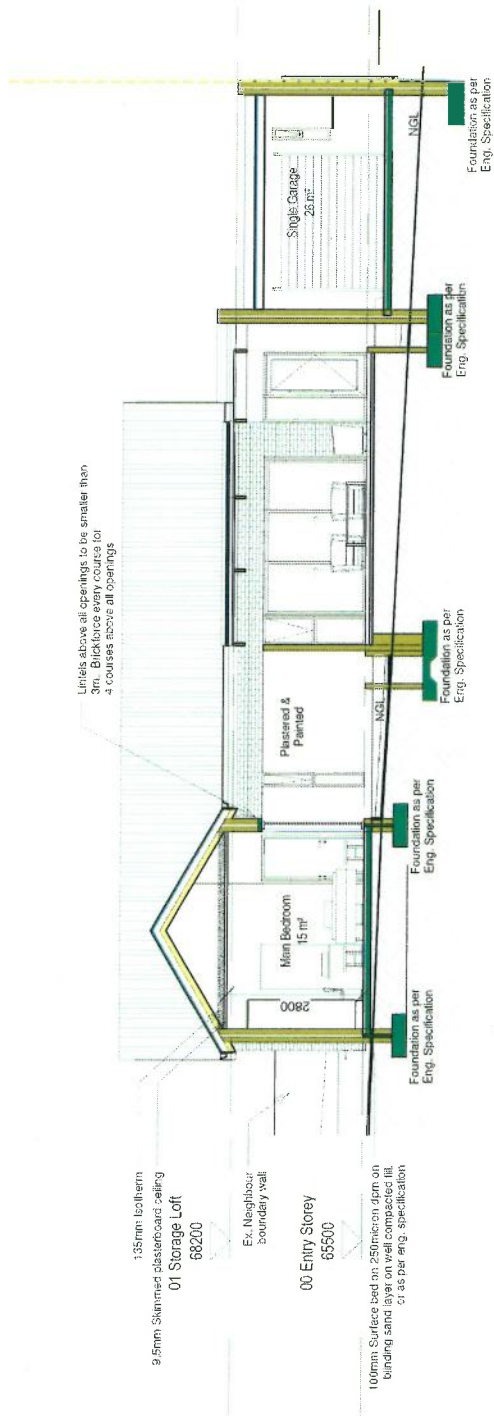
9 West Elevation (Council)  
1 : 100



Max. Height  
73405



Max. Height  
73405



5 Section BB  
1 : 100

