

**ERF 7462, 5 ROOIELS CLOSE, KLEINMOND: APPLICATION FOR DEPARTURE: SCHOONRAAD ARCHITECTS (obo JF & CE DU TOIT)**

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 in terms of Section 16(2)(b) of the By-Law for the following departures:

- to relax the rear building line from 2m to 1,0m to accommodate a proposed pergola, and
- to exceed the height restriction from 8m to 8,32m to accommodate a portion of the roof structure of the existing dwelling on the property.

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 must be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law and reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) on or before **29 October 2021**, quoting your name, address and contact details, interest in the application, and reasons for comment. Telephonic enquiries can be made to **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 7462, ROOIELSSLOT 5, KLEINMOND: AANSOEK OM AFWYKING: SCHOONRAAD ARGITEKTE (nms JF & CE DU TOIT)**

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruikbeplanning, 2020 dat 'n aansoek ontvang is ingevolge Artikel 16(2)(b) van die Verordening vir die volgende afwykings:

- verslapping van die agterboulyn vanaf 2m na 1,0m ten einde 'n voorgestelde pergola te akkommodeer, en
- om die hoogtebeperking te oorskry vanaf 8m na 8,32m om 'n gedeelte van die dakstruktuur van die bestaande woonhuis op die eiendom te akkommodeer.

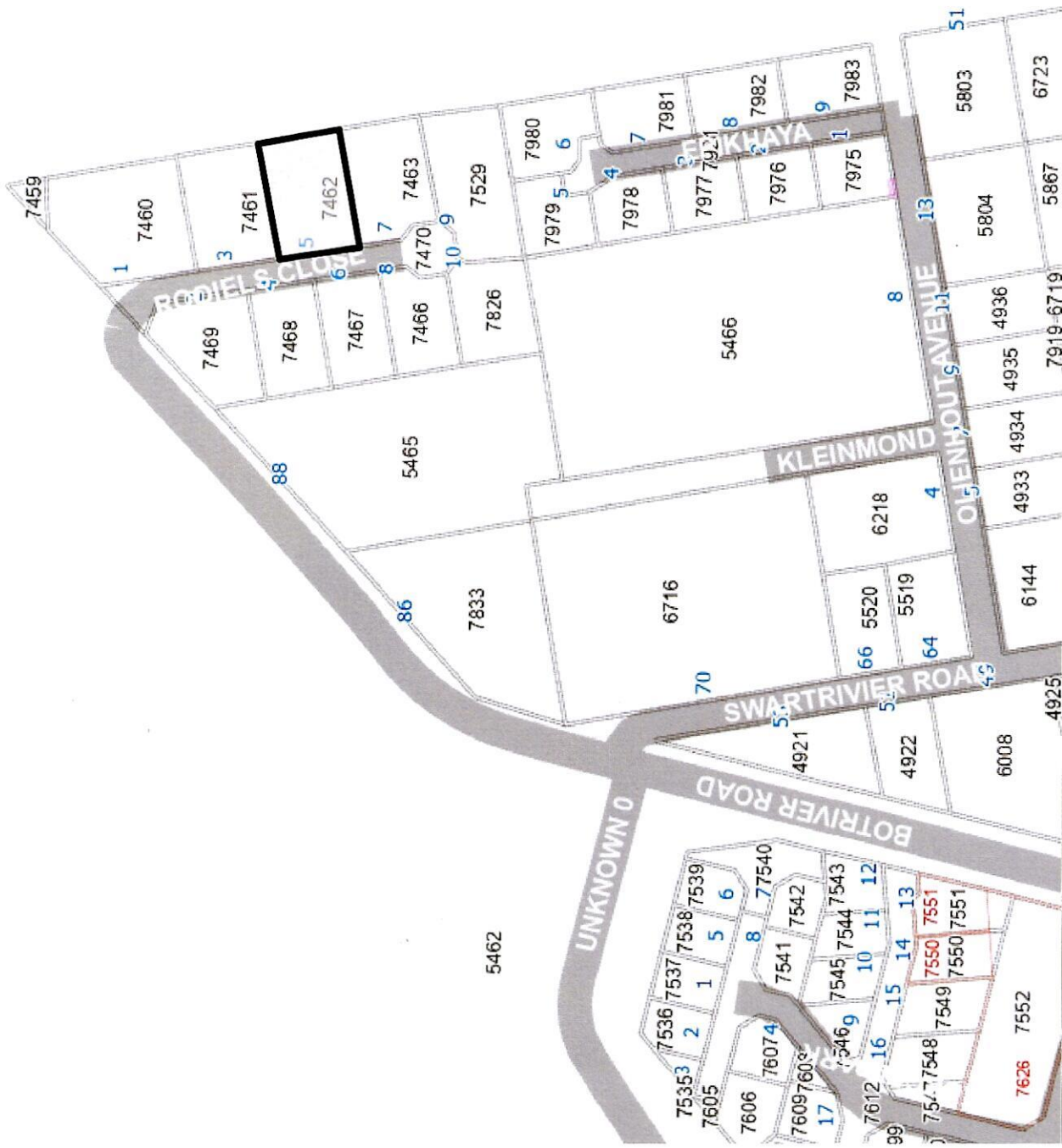
Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus en by die Kleinmond Biblioteek, Vyfdelaan, Kleinmond. Enige skriftelike kommentaar moet ingevolge die bepalings van Artikels 51 en 52 van die Verordening ingedien word en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) bereik voor of op **29 Oktober 2021** met u naam, adres en kontakbesonderhede, belang in die aansoek, sowel as die redes vir kommentaar. Telefoniese navrae kan gerig word aan **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 7462, 5 ROOIELS CLOSE, KLEINMOND: ISICELO SOPHAMBUKO: SCHOONRAAD ARCHITECTS (obo JF & CE DU TOIT)**

Isaziso sinikwe ngokwemiqathango yeCandelo 48 loMthetho oYilwayo woMasipala wase-Overstrand ongoCwangciso lokuSetyenziswa koMhlaba kaMasipala 2020, sokokuba isicelo sifunyenwe ngokwemiqathango yeCandelo 16(2)(b) loMthetho kaMasipala olungiselelwe olu phambuko lulandelayo:

- ukunyenya komda ongasemva wesakhiwo ukususela kwi-2m ukuya kwi-1,0m ukulungiselela iphegola ecetywayo, kunye
- ukugqitha kwisithintelo somphakamo ukususela kwi-8m ukuya kwi-8,32m ukulungiselela isahlulo sobume bophahla lwesakhiwo esele sikho kwipropati.

Inkukacha ezipheleleyo ziyafumaneka ukuba zihlolwe ngeentsuku zomsebenzi phakathi kweyure-08:00 ne-16:30 kwiSebe: Town Planning, Paterson Street, Hermanus kunye nakwiThala lwencwadi laseKleinmond, Fifth Avenue, eKleinmond. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 zalo Mthetho oYilwayo yaye mazithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) ngomhla okanye ngaphambi komhla **wama-29 ku-Oktobha 2021**, unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuza into malunga nesi saziso ungatsalela umnxeba **Nksk. H. van der Stoep** 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.





**SCHOONRAAD ARCHITECTS**

4 Mondche , 5<sup>th</sup> Avenue Kleinmond 7195  
P O Box 29 Kleinmond 7195  
Tel 028 271 3479 Fax 086 538 3612 Cell 082 853 3770  
gideon@schoonraadarch.co.za

**Our ref:** 2019-116

**Your ref:**

**Date:** 7<sup>th</sup> July 2021

Att:  
Haneen van der Stoep  
Town Planning Section  
Overstrand Municipality  
Magnolia Street  
Hermanus  
7200

**MOTIVATION – DEPARTURE- ERF 7462 KLEINMOND – 5 ROOI-ELS CLOSE, KLEINMOND :**  
**RIDGE CAPPING SOUTH FROM FROM 8000mm TO 8320mm**  
**REAR BUILDING LINE FROM 2000mm TO 1000mm FOR TIMBER PERGOLA**

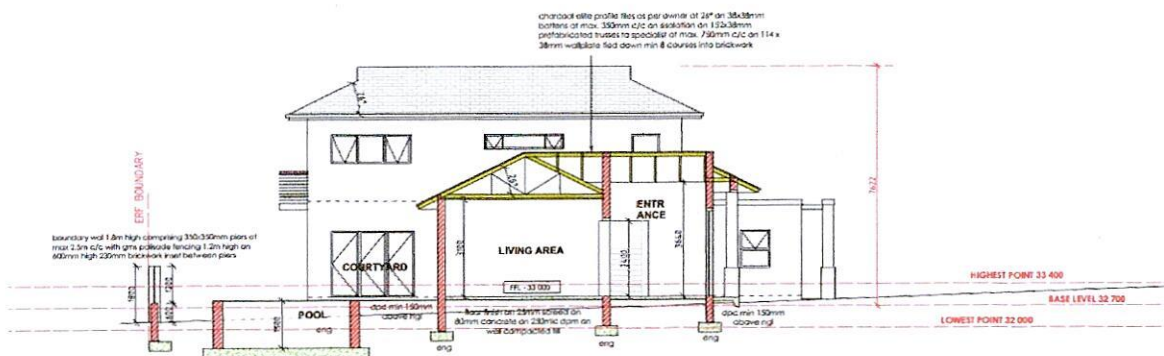
**BACKGROUND**

Mr and Mrs Du Toit, owners of Erf 7462 Kleinmond, has instructed Schoonraad Architects to apply for departure from

1. the permissible height restriction from 8000mm to 8320mm for a ridge capping
2. rear building line from 2000mm to 1000mm for open timber pergola

A double storey residential dwelling is established on the property. Erf 7462 is 846m<sup>2</sup> in extent. The original plan prepared by Plan Co was approved with the following heights reflected on the plan ( Fig. 5).

Lowest NGL	32 000
Highest NGL	33 400
Base level	32 700



SECTION AA I scale 1:100

Fig 5. Side elevation of first approved plan

Upon the request for an occupation certificate to be issued, the local authority requested a height certificate to be prepared by a registered land surveyor. Van Dyk and Spronk land surveyors was appointed to do the on-site survey.

The following heights were certified

Lowest NGL	32 000
Highest NGL	33 330
Base level	32 660

The base level contradicted the original base level by 40mm. The ridge of the roof on the Southern side was found to encroach by 320mm. The height difference was due to the introduction of an amended smaller triangular roof, which increased the overall height of the roof ( Fig 4).

The application for the open timber pergola on the Eastern side in front of the entertainment area is to enhance the visual interest of the façade and to create an active edge with the golf course.

### **APPLICATION DETAILS**

1. Chapter 4, Section 16.2 (b) of the Overstrand Municipality's By-law on Municipal Land use Planning, 2015 for the departure from the prescribed height restrictions applicable to Erf 7462 Kleinmond under the current zoning of Residential in Terms of the Overstrand Municipality Zoning Scheme.
2. Chapter 4, Section 16.2 (b) of the Overstrand Municipality's By-law on Municipal Land use Planning, 2015 for the departure from the 2,0m rear building line applicable to Erf 7462 Kleinmond under the current zoning of Residential in Terms of the Overstrand Municipality Zoning Scheme.

### **GENERAL INFORMATION**

#### **A - PROPOSED DEVELOPMENT**

The client had plans drawn for a new residence located in the residential area of Kleinmond. The plans reflected a double storey residence with the Eastern border facing the Kleinmond golf course. Plans were drawn up by Plan Co in Somerset west and approved. Schoonraad Architects were tasked to manage the site supervision during the construction phase. Minor changes were made to approved plans to:

1. Improve the planning
2. Enhance the view towards the golf course
3. Conform to the intended aesthetic envisaged by the client

Amended plans were submitted and approved.

#### **B - CHARACTER OF THE ENVIRONMENT**

The residence is located within an existing urban residential neighbourhood with a mix of single and double storey residences. The structure concerned is a double storey residential dwelling with a tiled roof. The density and coverage of the structure is in line with the town planning scheme guidelines.

#### **C - DESIRABILITY OF THE PROPOSED UTILISATION**

The application is desirable as the impact is low on the adjoining properties. The minor difference in height of the roofline is not excessive and therefore do not have an adverse effect on any views and sightlines. The 8m high restriction allowed by the town planning

scheme is well above the ridge line of the mountain when viewed from the adjoining property located on the Southern boundary. The view to the ocean from the property located on the Northern boundary is not affected in any way. Local views and ambience with views over the golf course and immediate area remains intact.

The proposed pergola face East towards the golf course and fynbos farmland beyond. It does not obstruct any views or sightlines from adjoining owners towards the ocean or mountain.

The privacy of the adjoining properties not in any way affected by the application.

#### **D - INVESTIGATIONS CARRIED OUT IN TERMS OF OTHER LAWS WHICH ARE RELEVANT TO THE CONSIDERATION OF THE APPLICATION**

The proposal will not be influenced or affected by the Environmental Management: Air Quality, National Environmental Integrated Coastal Management Act, NEMA, Subdivision of Agricultural Land Act, Occupational Health and Safety Act or the Waste and the National Water Act or National Heritage Resources Act.

The size and impact of the application is such that it does not have an impact on any policies or legislation.

#### **E - THE IMPACT OF THE PROPOSED LAND DEVELOPMENT ON MUNICIPAL ENGINEERING SERVICES**

All engineering services are provided. No existing infrastructure or traffic patterns will be influenced or affected.

#### **F - CONSIDERATION OF FORWARD PLANNING AND LAND USE DOCUMENTS**

The current residential land use remains unchanged.

#### **G - PLANNING PRINCIPLES**

##### **Spatial justice**

Not applicable

##### **Spatial sustainability**

The land use will be in keeping with the residential character of the area that consists of similar single and double storey dwellings. The height of the building is in line with the height of existing buildings in the vicinity.

##### **Efficiency**

No negative impact can be identified. The new residence built on vacant land has a positive effect on the financial, social and economic character of the immediate environment.

##### **Spatial resilience**

The size and impact of the application is such that it does not have an impact on any policies or legislation.

##### **Good administration**

Building plans has been submitted and approved for the current floor layout. The application will follow due procedure as stipulated by the Overstrand Municipality.



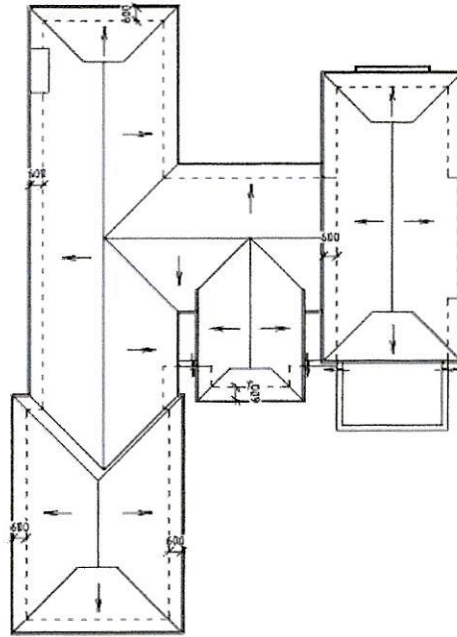


Fig 3. Example presented of roof configuration with double angle. Front and side elevation.



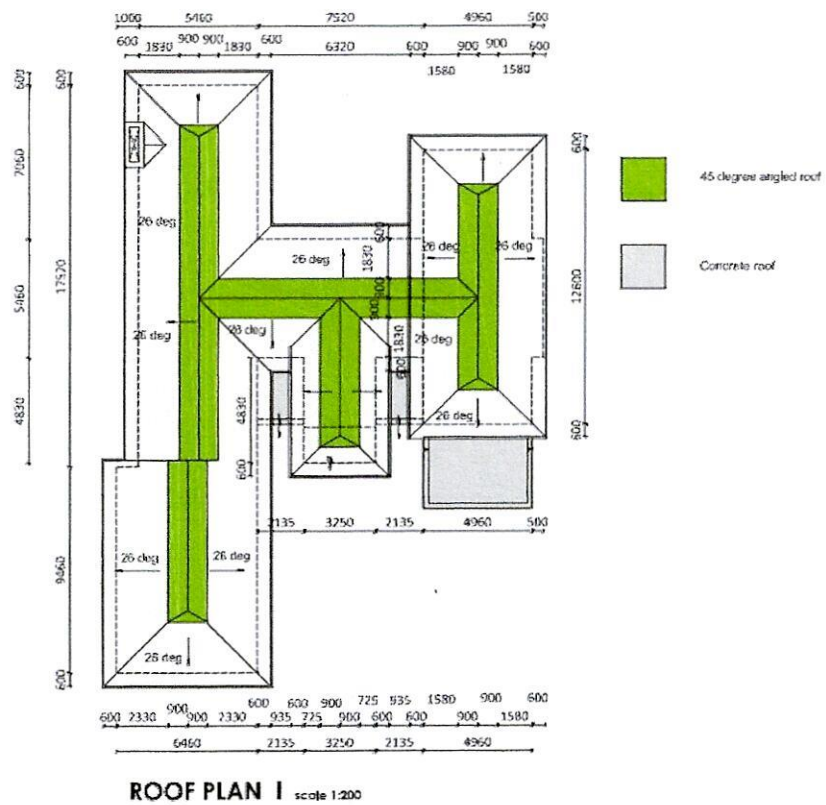
WEST ELEVATION I scale 1:100

Fig. 4 As-built drawing with surveyor certified heights indicated and roof configuration ( Triangle in red indicates extent of encroachment )



● ROOF PLAN I scale 1:200

Fig 5 . Original roof plan



ROOF PLAN I scale 1:200

Fig 6. Amended roof plan

## J – SUMMARY

It is out belief that the impact on the surrounding environment is minimal due to the minor

The applicant would like to add a timber pergola to the pool atrium area to coincide with the clients' required architectural aesthetic ( Fig 7 ). The pergola will be located in front of the entertainment area facing the golf course.( Fig 8).



Fig 7. Example of timber pergola

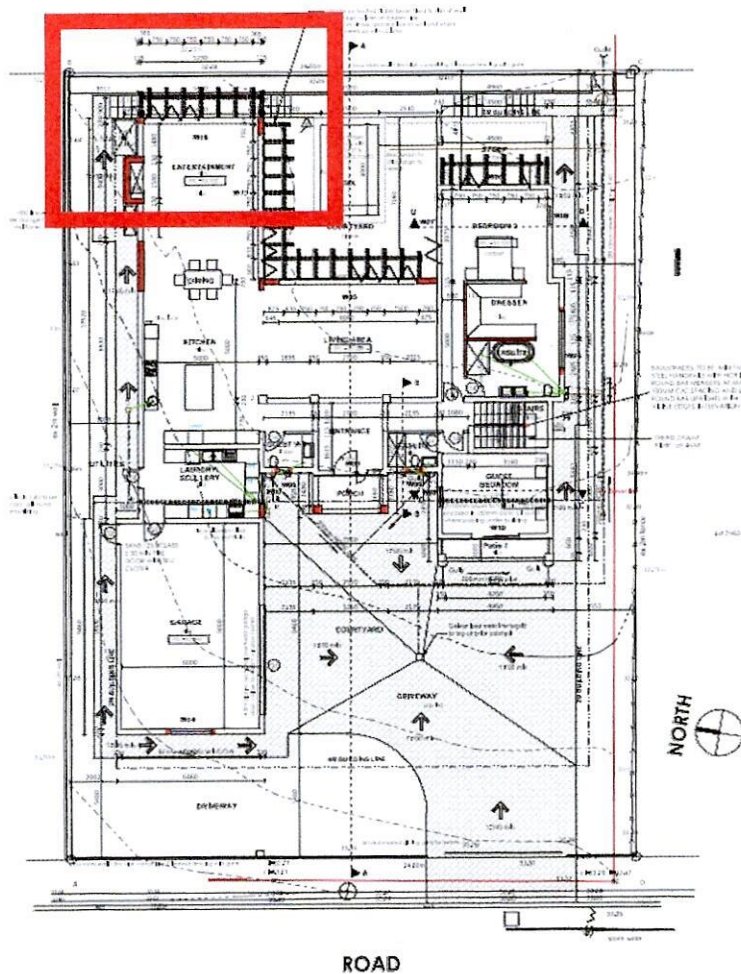


Fig 8. Position of proposed pergola East

We trust you find this in order and await a positive response regarding the matter.

Your sincerely,

A handwritten signature in black ink, appearing to be 'G J Schoonraad', written in a cursive style.

G J Schoonraad  
Schoonraad Architects

**Note**

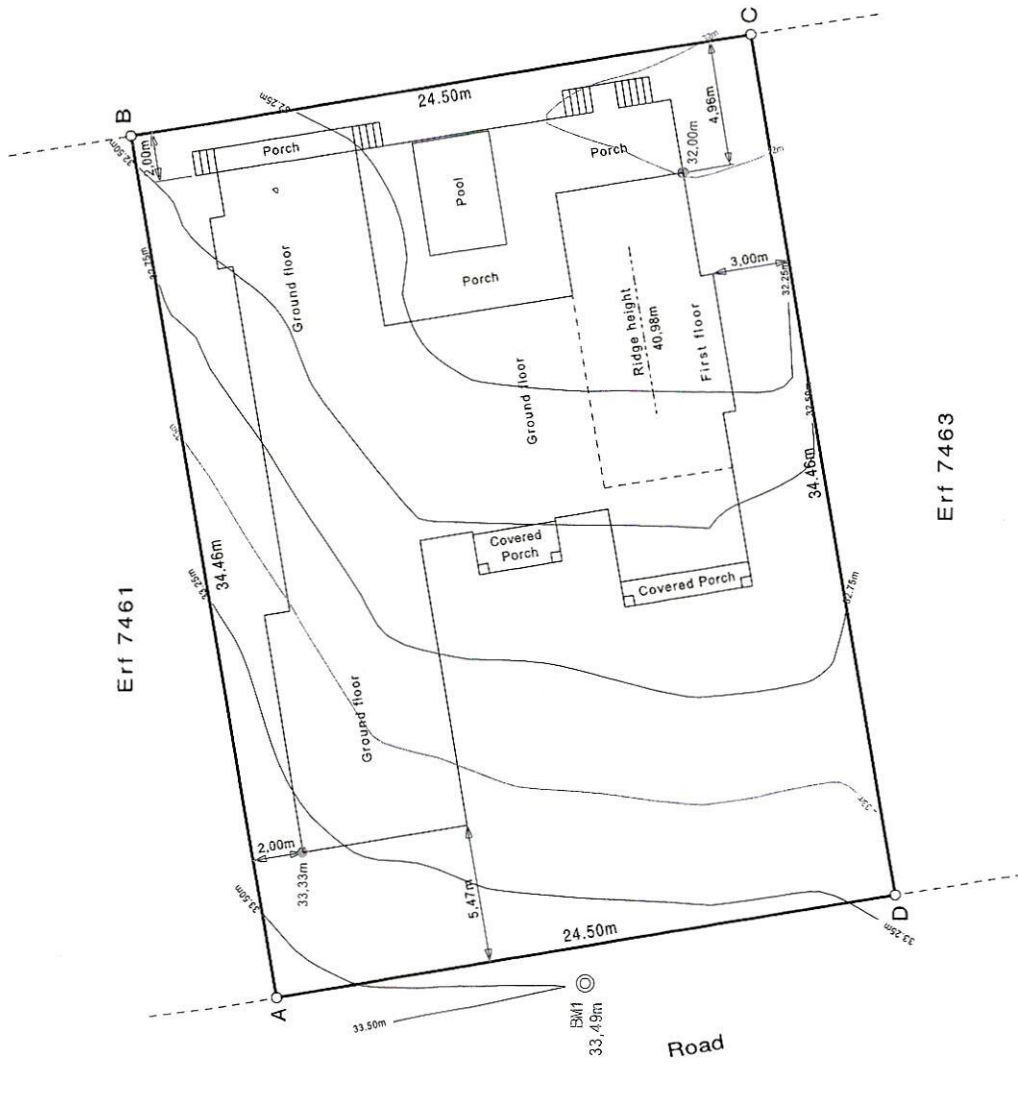
Contours represent natural ground levels, and not actual ground levels.

**Height restriction calculation**

- Lowest point of house : 32,00m
- Highest point of house : 33,33m
- Baseline : 32,66m
- + allowable building height : 8,00m
- Building height restriction : 40,66m

Erf 7461

Erf 7463



**Notes**

1. Topographical Survey were done in August 2018, before construction.
2. For Beacon and Benchmark description see plan No. V18474.

L A van Dyk PLS 1069  
Professional Land Surveyor

**VAN DYK & ASS. inc.**

P.O.Box 2025  
HERMANUS  
7200



SOUTH AFRICA  
VAN DYK & ASS. inc.  
LAND SURVEYORS  
TEL: (028) 313 0077  
E-MAIL: info@vandyksurvey.co.za

Stelsel: Clark 1880 / Lo 19  
System: Local

Hoogte Stelsel: Local  
Height System: Local

Skaal: 1 : 200  
Scale: 1 : 200

Datum: January 2021  
Date: January 2021

Klient: Karen Du Toit  
Client: Karen Du Toit

Projek Titel: ERF 7462  
Project Title: ERF 7462

KLEINMOND

Title: HEIGHT RESTRICTION SURVEY

Tekening Nummer: V21038  
Drawing Number: V21038

Gereken deur: DJP  
Drawn by: DJP

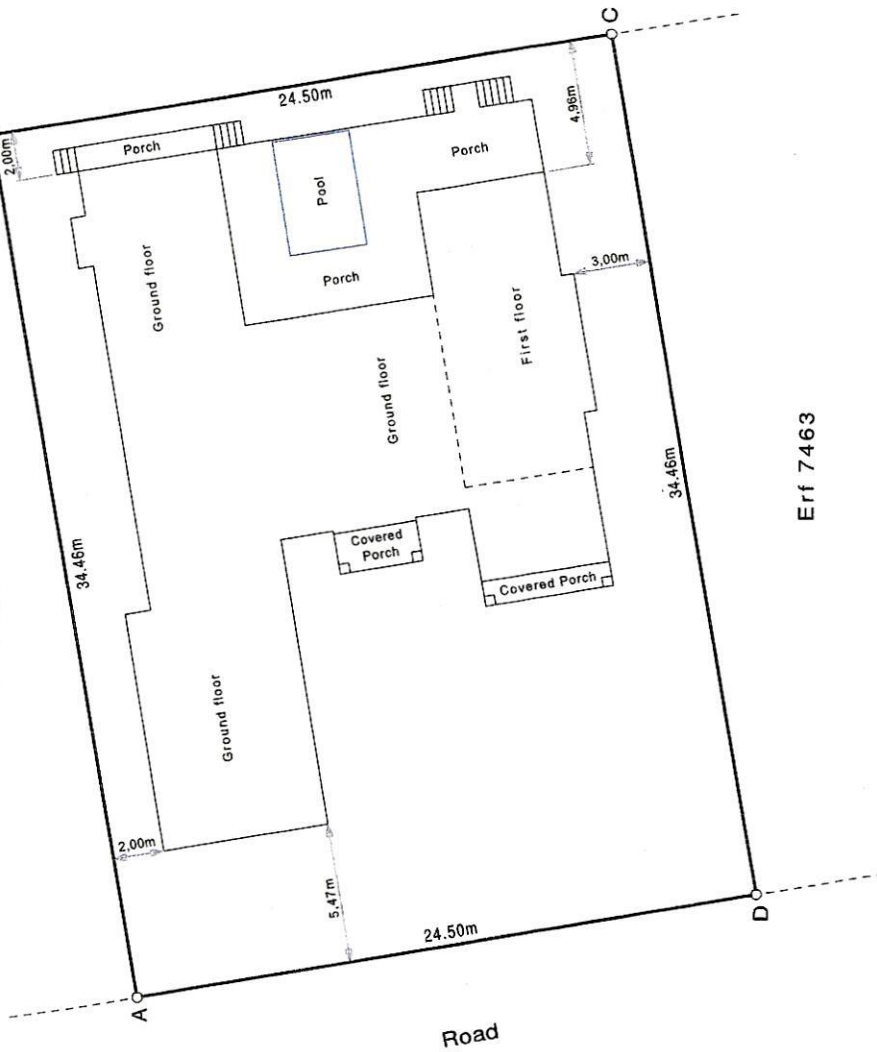
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Rev: 1

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Sheet 1 of 1

**Description of Building**

Building 1 consist of a partly built single/double story dwelling with a roof, windows and doors, see pictures.

Erf 7461



Erf 7463

Surveyed by me in December 2019

L A van Dyk PLS 1069  
Professional Land Surveyor

Front of Building



Front of Building



Back of Building



Back of Building



**Notes:**  
Beacon Certificate:  
Beacon Description:  
A, C, D ... 12mm Iron peg  
B ... Drill hole in wall

**VAN DYK & ASS. inc.**

P.O.Box 2025  
HERMANUS  
7200

SOUTH AFRICA  
TEL: (028) 313 0077  
E-MAIL: info@vandyksurvey.co.za



Stelsel: Clark 1880 / Lo 19  
System:

Skaal: 1 : 200  
Scale:

Datum: December 2019  
Date:

Landmeter:  
Land Surveyor: L A van Dyk

Projek Titel:  
Project Title:

The Figure ABCD

represent 844m<sup>2</sup> of land  
Being ERF 7462 KLEINMOND  
Vide GP. No. 8781/1996

Titel:  
Title:

IDENTIFICATION  
CERTIFICATE

Tekening Nummer:  
Drawing Number: V19607

Geteken deur:  
Drawn by: DJP

Vel  
Sheet 1 van  
of 1

