

ERF 2386, 99 TENTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: A BASSON ON BEHALF OF AFM LOUW TRUST

Notice is hereby given in terms of Section 48 read with Section 16(2)(b) the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) that an application has been received for the following:

- to relax the eastern lateral building line from 2m to 1.2m and 1.64m respectively to accommodate alterations to the main dwelling namely: new bedroom 01, two risers of the stairs at the enlarged stoep - main dwelling (encroach by 0.59m) and a new carport;
- to relax the western lateral building line from 2m to 1.2m to accommodate additions to the second dwelling namely: new braai / deck walls (encroach by 0.8m); the new bedroom 2 (encroach by 0.8m), and
- to relax the northern 4m street building line from 4m to 3.41m to accommodate a new carport.

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 / (e) alida@overstrand.gov.za) on or before **11 March 2022** quoting your name, address and contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to **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 2386, TIENDESTRAAT 99, VOËLKLIP, HERMANUS, OVERSTRAND MUNISIPALE AREA: AANSOEK OM AFWYKING: A BASSON NAMENS AFM LOUW TRUST

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

- om die oostelike laterale boulyn van 2m na 1.2 en 1.64m onderskeidelik te verslap om verbetering tot die bestaande hoofwoning naamlik: nuwe slaapkamer 01, twee stygers van die trappe by die vergrootte stoep – hoofwoning (oorskry tot 0.59m) en 'n nuwe afdak te akkommodeer;
- om die westelike laterale boulyn van 2m tot 1.2m te verslap om aanbouings tot die tweede wooneenheid naamlik: nuwe braai / dek mure (oorskry tot 0.8m), die nuwe slaapkamer 2 (oorskry tot 0.8m) te akkommodeer, en
- om die noordelike 4m straatboulyn van 4m na 3.41m te oorskry ten einde 'n nuwe afdak te akkommodeer.

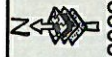
Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. Enige kommentaar op die voorstel moet skriftelik ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening na die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) voor of op **11 Maart 2022**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan **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.

ISIZA 2386, 99 TENTH STREET, VOËLKLIP, EHERMANUS, UMMANDLA WOMASIPALA WASE-OVERSTRAND: ISICELO SOPHAMBUKO: A BASSON EGAMENI LE-AFM LOUW TRUST

Isaziso sikhutshwa ngokwemiqathango yeCandelo 48 elifundwa kunye neCandelo (16)(2)(b) loMthetho kaMasipala oLungisiweyo woMasipala wase-Overstrand ongoCwangciso lokuSetyenziswa koMhlaba kaMasipala, 2020 (uMthetho kaMasipala) sokokuba isicelo sifunyenwe sophambuka kulungiselelwa oku kulandelayo:

- ukunyeniswa komda wesakhiwo esisecaleni ngasempuma ukususela kwi-2m ukuya kwi-1.2m kunye ne-1.64m ngokunjalo ukulungiselela ukulungiswa kwesakhiwo okukoku: igumbi elitsha lokulala eli-01, amanqanqwa anyukayo amabini kwisituphu esandisiweyo – isakhiwo esingundoqo (esingenelwe nge-0.59m) kunye nekhapoti entsha;
- ukunyeniswa komda wesakhiwo esisecaleni ngasentshona ukususela kwi-2m ukuya kwi-1.2m ukulungiselela ukongezelelwa kwesakhiwo sesibini esisesi: indawo yokoja inyama entsha / udonga iindonga ezinemigangatho (ezingenelwe nge-0.8m); igumbi lokulala elitsha 2 (elingenelwe nge-0.8m), kunye
- nokunyeniswa komda wesakhiwo esingasesitalatweni ngasentla see-4m ukususela kwi-4m ukuya kwi-3.41m ukulungiselela ulwakhiwo lwekhapoti entsha.

linkcukacha ezipheleleyo ngesi sindululo ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini phakathi kwentsimbi yesi-08:00 neye-16:30 kwiSebe: loCwangciso lweDolophu, Paterson Street, eHermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 alo Mthetho kaMasipala mazithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) ngomhla okanye ngaphambi komhla, **11 kuMatshi 2022**, unike igama lakho, idilesi neenkukacha zoxibeelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuza into malunga nesi saziso ungatsalela umnxeba **uMnu P Roux** 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.



Overstrand Municipality
16 Paterson Street
Hermanus
7200
Attention: Town Planning

13 December 2021

Dear Sir

**MOTIVATION LETTER FOR THE PERMANENT DEPARTURE
FROM THE PROVISIONS OF THE ZONING SCHEME
[RELAXATION OF BUILDING LINES]**

This motivation letter is in regard to the proposed alterations and additions on **Erf 2386** (Hermanus), 99 10th Street, Voelklip – site extent of **991.36m²** and zoning: **Single Residential 1**.

We motivate the proposal to relax portions of the 2.0m East and West side building lines, and the 4.0m Street building line (for the proposed carport) for Erf 2386, to allow for the proposed additions to the existing dwelling and outbuilding to be built in a practical manner, following the historic **1.2m** side building line widths. Furthermore, in detail: New Bedroom 01 of the Main dwelling (encroach by 0.8m); Two risers of the stairs at the Enlarged Stoep - Main Dwelling (encroach by 0.59m); The new Braai / Deck walls at the Second Dwelling (encroach by 0.8m); the New Bedroom 2 of the Second Dwelling (encroach by 0.8m); and the New Carport, to follow 16.1.2(b) of the zoning scheme (encroach by 1,64m on the East and 0.38 on the North). (See Figures 1a-c)

We do not believe the departure will impact existing rights enjoyed by the neighbours or public – given the adherence to the existing structure's wall lines. The carport is to follow the zoning scheme's rules according to 16.1.2(b) and will have minimal impact. The neighbour to the east has a garage building on the same boundary, with a high boundary wall.

The existing structures on the erf were built to previous zoning scheme provisions, which were less restrictive with regards to building line widths for an erf of this size. The current approved plan (plan N°. 9675) shows side building lines of 1200mm which the existing dwelling and existing outbuilding complied with.

Properties in the immediate vicinity, including immediate neighbours, have also been developed along the same lines (having been built contemporaneously with the structures on Erf 2386) and there is precedent of modern additions that adhere to the previous, less restrictive, zoning scheme's building line widths. (See Figure 2)

The result is a townscape typical to the many seaside towns in the region: relatively small erven with a compact grain of fabric. Some of the properties have maximised their potential by adding a second storey. (See Figure 3 + 4)

The proposed additions aim to keep with this character: by being able to develop along these lines the single story, reserved nature of the property's structures is maintained, in lieu of necessitating a double storey to maximise the potential of the property.

Directors: W. Louw (Pr.Arch., M.I. Arch.) (Managing Director)
N.H. van Rensburg (Pr.S.Arch.T.) R. Winzker (Pr.Arch., M.I.Arch.)
Associate: M. Randall (Pr.Arch., M.Arch)
Registration Number: 2002/005460/21

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In considering this departure from the zoning scheme provision regarding building lines, the municipality may regard the following:

- a) **Financial value of the rights:**
The amendment of the restrictive condition to a historical precedent does not hold financial value.
- b) **Personal benefits accrued to holder of the rights:**
The restrictive condition does not hold benefits to the holder of the rights.
- c) **Personal benefits to be accrued to the person seeking amendment:**
The owner will benefit by being able to add to existing buildings in a practical manner.
- d) **Social benefit if restrictive condition is kept in place:**
No social benefit (N/A)
- e) **Social benefit if restrictive condition is removed:**
No social benefit (N/A)
- f) **All or only some of the rights enjoyed by the beneficiary removed:**
Relaxation of the building line condition will enable the beneficiary to employ a better architectural response, but will in no way adversely affect the neighbours or area's rights or built fabric.

Planning Principles:

- i. **Spatial Justice:**
Being a residential property there is little the alterations and additions can do to redress the past, apartheid spatial inequalities.
- ii. **Spatial Sustainability:**
This development promotes compaction by offering a possible second dwelling, without increasing the current load on municipal services dramatically, while trying to stay true to the single storey and aesthetic of the past. A portion of the project aims to address the street edge by introducing garden beds and a defined pedestrian entrance – improving the pedestrian realm. The positioning of the proposed, new carport on the Eastern edge allowed for the retention of the mature trees on the Western boundary.
- iii. **Principles of Efficiency:**
This proposed development aims to capitalise on the available coverage allowed to maximise spatial efficiency. The decision to apply for a departure to revert back to historical building lines meant this densification could occur without negatively impacting the environment (all trees are able to be retained).
- iv. **Spatial Resilience:**
Being a residential property there is little the alterations and additions can do to add to the spatial resilience or promote the sustainable livelihoods of the poor. The inclusion of a second dwelling in the development does, however, offer financial options for the owner to provide rental income or additional housing should the need arise.
- v. **Good administration:**
The decision to implement this departure from the zoning scheme provisions will allow this development to take place and minimise the negative financial, social, economic and environmental impacts as discussed.

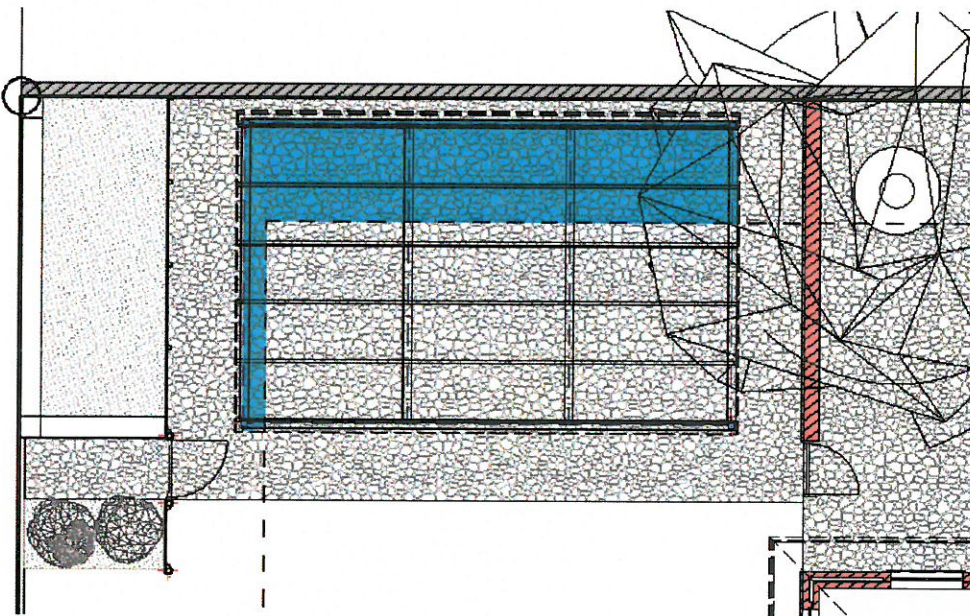
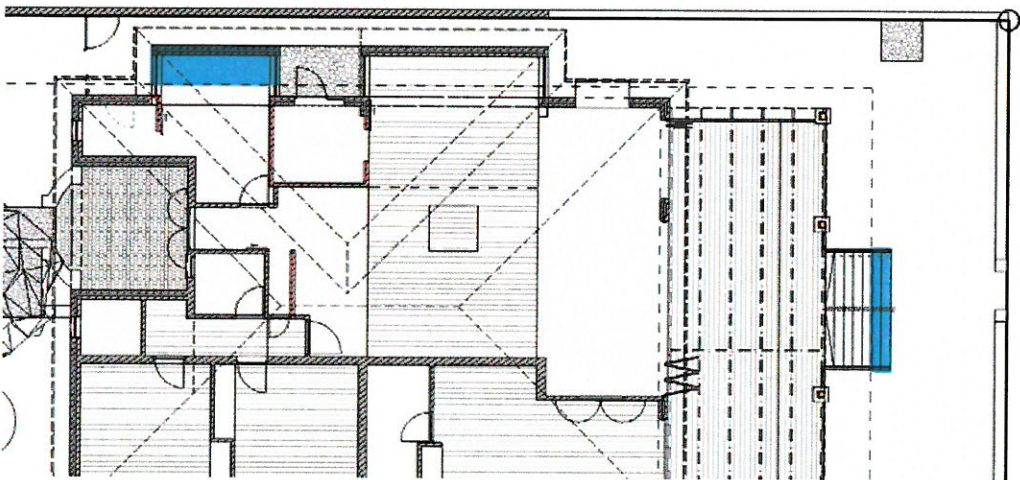
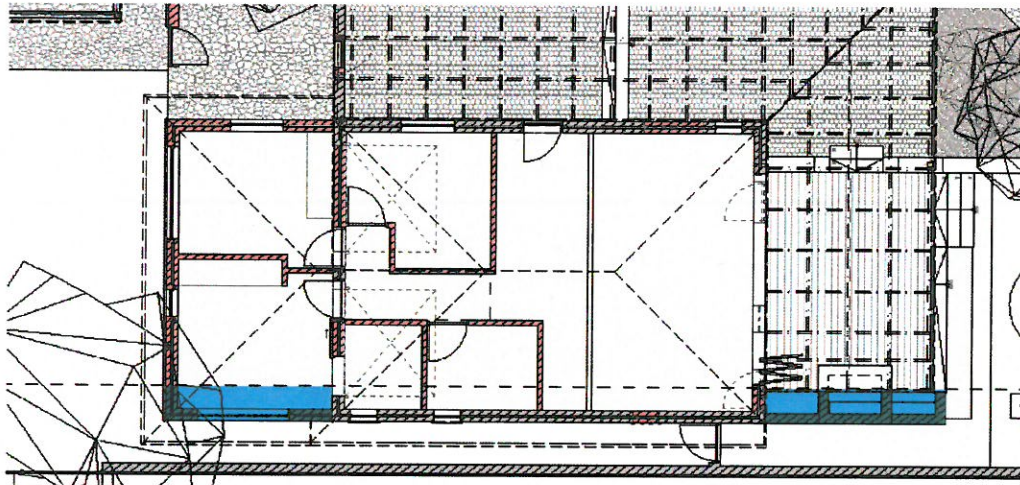


Figure 1a, b & c: Simplified plan excerpts showing the proposed extension of the existing dwelling and outbuilding following existing wall lines, and the position of the new carport (to follow 16.1.2(b) of the Zoning Scheme). Blue highlights are areas beyond the current building lines.

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Figure 2: Aerial view showing historical and modern structures built to a less restrictive, previous zoning scheme's building lines.

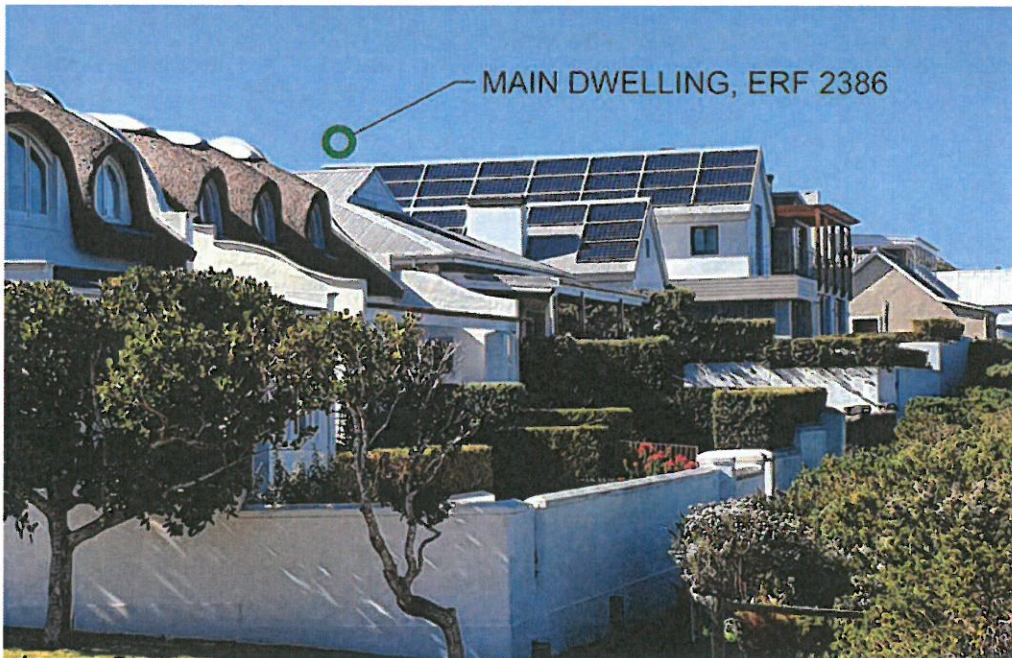


Figure 3: Small erven with a compact grain of fabric, typical of seaside towns in the region.

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Figure 4: An example of the double storey developments in the area.



Figure 5: Rendering showing the proposed car port behind the proposed fence and next to the existing neighbour's boundary wall.

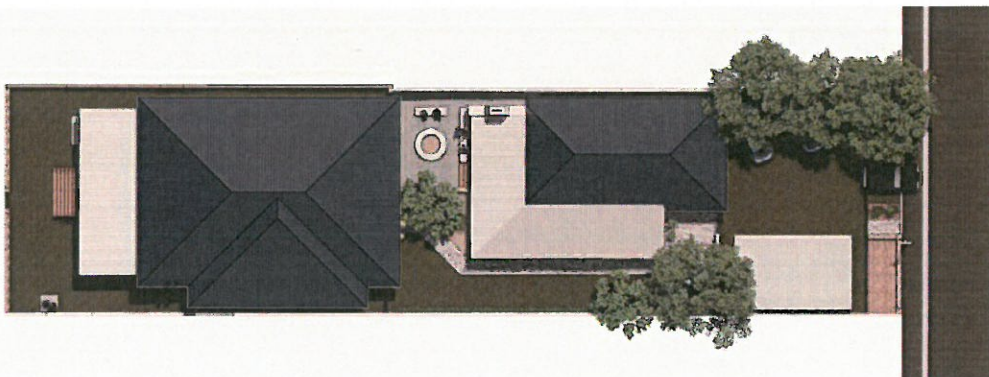


Figure 6: Visualization of the site development, showing extension along existing envelope positions



In conclusion, we feel that reducing the East and West building line widths to the historic 1,2m for the building will allow the owner to build additions that are architecturally practical and reserved, while not infringing on the neighbours, nor detracting from the architectural language of the area. The carport will follow guidelines stipulated in 16.1.2(b) of the zoning scheme and designed to be as un-intrusive as possible, its departure from the East side building line and North Street building line

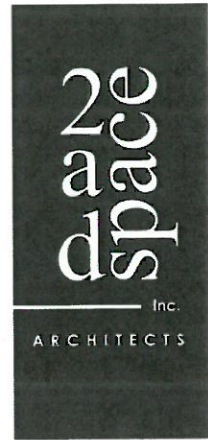
Yours Faithfully,



Matthew Randall
Professional Architect
BAS | MARCH (PROF)

Documents attached to this letter:

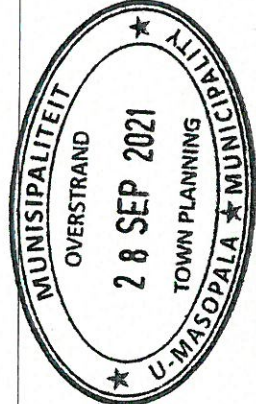
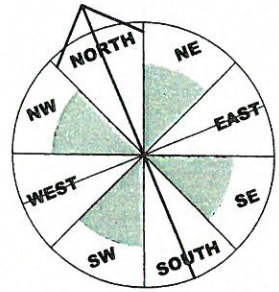
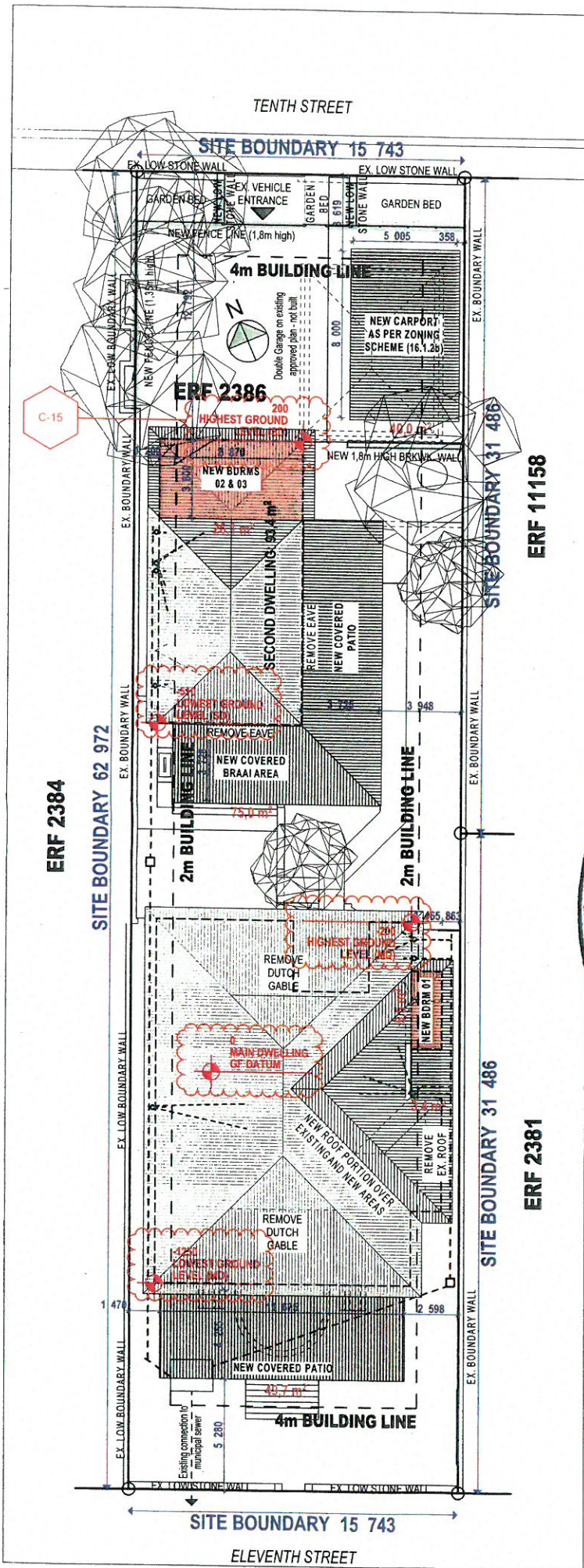
1	Application Form
2	Resolution of Trustees and Letter of Authority
3	Copy of Title Deed
4	A3 Locality Plan 20-19_TP - 01 A3 Site Plan 20-19_TP - 02
5	Building Plans Printed to A3
6	Application PoP



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Rev/D	Change Name	ID	Date
01	Set Out Measurements	C-10	2021-08-26
02	Highest & Lowest NGL shown on Site Plan	C-15	2021-10-14

SCALE AS SHOWN

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Project / Client

**PROPOSED ALTERATIONS & ADDITIONS
 LOUW - HERMANUS
 ERF 2386
 HERMANUS**

Computer no.
 LOUW - HERMANUS

Date
 14 October 2021

Client Signature

Architect
 W. Louw (SACAP 4670)

Drawn
 M. Randall

Site Plan - A3

Drawing no.
 20-19_TP - 02

Rev.
 02

SITE PLAN
 Scale 1:200

