

**ERF 4860, TUSCAN STREET, ONRUSTRIVIER: APPLICATION FOR AMENDMENT OF ARCHITECTURAL DESIGN GUIDELINES: HECTOR RITCHIE (obo TUSCAN VILLAS HOMEOWNERS ASSOCIATION)**

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 received in terms of Section 16(2)(l) for the Amendment of the Architectural Design Guidelines.

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 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 **1 April 2022**, quoting your name, address and contact details, interest in the application, and reasons for comment. Telephonic enquiries can be made to **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 4860, TUSCANSTRAAT, ONRUSTRIVIER: AANSOEK OM WYSIGING VAN ARGITEKTONIESE RIGLYNE: HECTOR RITCHIE (nms TUSCAN VILLAS HUISEIENAARSVERENIGING)**

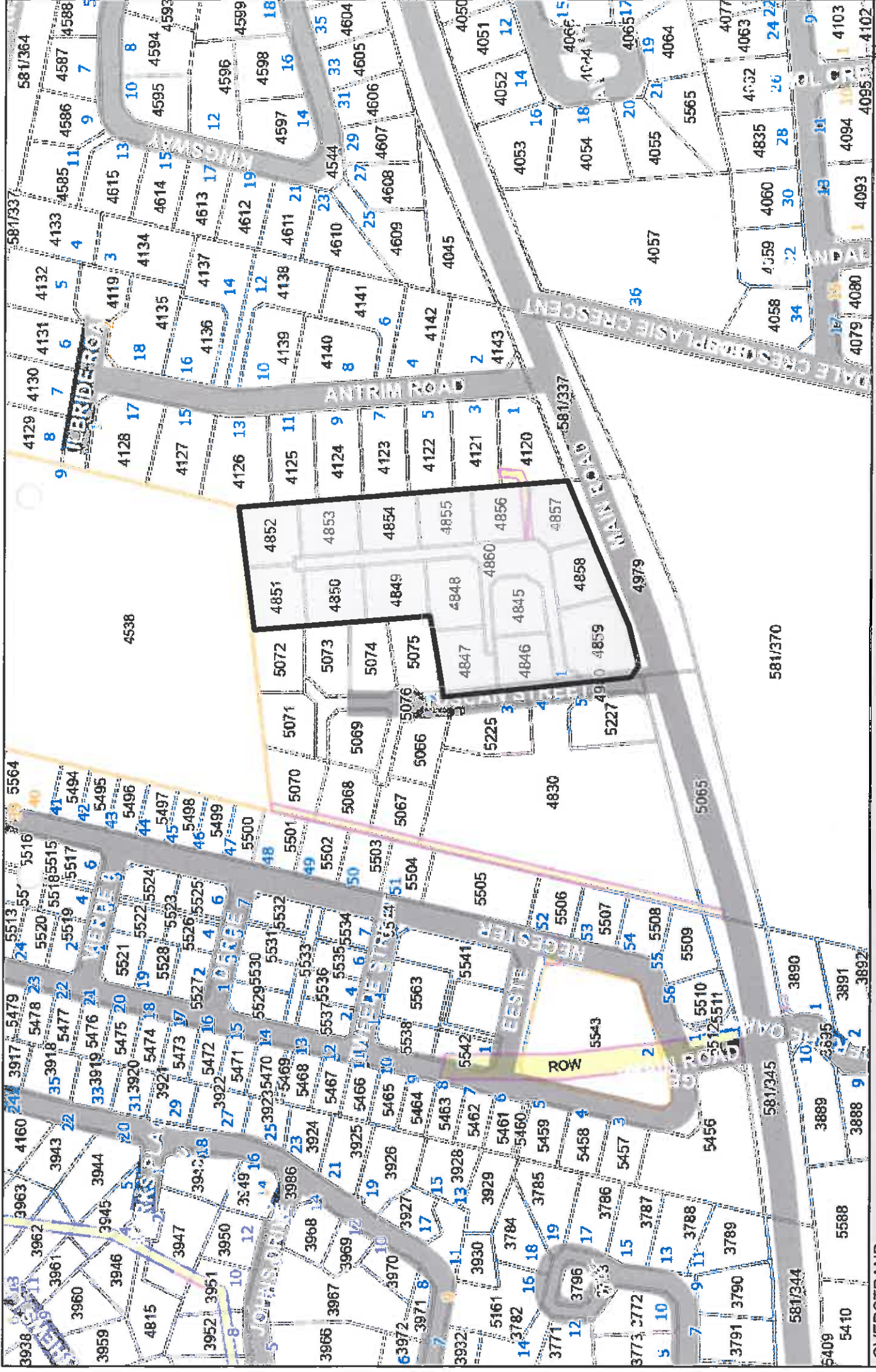
Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 dat 'n aansoek ontvang is ingevolge Artikel 16(2)(l) vir die Wysiging van die Argitektoniese Riglyne.

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 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 **1 April 2022** met u naam, adres en kontakbesonderhede, belang in die aansoek, sowel as die redes vir kommentaar. Telefoniese navrae kan gerig word aan **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.

**ISIZA 4860, TUSCAN STREET, ONRUSTRIVIER: ISICELO ISICELO SOLUNGISO LWEZIKHOKHELO ZOYILO LWEZAKHIWO: HECTOR RITCHIE (obo TUSCAN VILLAS HOMEOWNERS ASSOCIATION)**

Isaziso sikhutshwa ngokwemiqathango yeCandelo 48 loMasipala oLungisiweyo woMasipala waseOverstrand ongoCwanciso lokuSetyenziswa koMhlaba, 2020 sokokuba isicelo sifunyenwe ngokwemiqathango yeCandelo 16(2)(l) ukulungiselela isiLungiso seZikhokhelo zoYilo lweZakhiwo

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ngeentsuku zomsebenzi phakathi kweyure-08:00 ne-16:30 kwiSebe: Town Planning, Paterson Street, Hermanus. 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](mailto:loretta@overstrand.gov.za)) ngomhla okanye ngaphambi komhla **wama-1 ku-Epreli 2022**, unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuza into malunga nesi saziso ungatsalela umxeba **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.



# TUSCAN VILLAS HOME OWNERS ASSOCIATION

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ADRES: TUSCAN VILLAS  
TUSCAN CLOSE NO1  
ONRUSRIVER  
7 201

TRUSTEES: Mr H Ritchie- Chairman  
Mr DS de Kock - Secretary  
Mrs I Winton- Treasurer

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Date 07/06/2021

Subject Letter of motivation to Overstand Municipality Hermanus.  
Request to change our constitution to allow the roof covering of existing carports.

The history behind this application, that a few years ago an application was presented at the AGM was for the roof and closing the side wall which was rejected.

This present revised application is for roof only, no side walls and no changes in boundary lines.

The committee had numerous discussions with all the 17 residents, to explain the reason for our application.

Tuscan Villas over the years has had a few new residents / owners of units with carports. Some residents / owners have two cars, which are expensive, and it would be a great benefit to them if they can put a roof on their existing carport to protect their assets.

To preserve the architectural character in the complex, to maintain harmonious and aesthetically acceptable environment, the committee proposed a standard roof design suitable for all carports. (Carport drawing attached ref 0001; A1-01).

The committee presented a final drawing for future carports at the AGM held on 30<sup>th</sup> April 2021

It was unanimously agreed, together with those present we had 6 proxies from owners who were not able to attend the AGM meeting which gave us the 75% voting which was required to proceed. (Minutes of meeting Attached)

The change we are requesting in the constitution is only in the Architectural Rules and Guidelines a new clause item 4.8 which states: The carport cover as approved at the AGM of 30<sup>th</sup> April 2021 may be constructed from a material with a smooth flat surface provided it is well with the parapet of the car port to ensure minimum visibility from the common area. Roof cover must be painted the same colour as walls of the unit. A standard drawing has been approved by the trustees

We trust our application meets with your approval, and should you require any further information please do not hesitate to contact Hector Ritchie on 0836324171

Thank you for your assistance



Mr H. Ritchie  
Chairman



Mr D deKock  
Secretary



Mrs I Winton  
Treasurer

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E-Post address: [bjrs@ibi.co.za](mailto:bjrs@ibi.co.za)

Post address: Post box 197 Onrus 7201

Telephone 028 316 1672

Cell phone 0836324171 Hector Ritchie

**TUSCAN VILLAS HOME OWNERS' ASSOCIATION**  
**ARCHITECTURAL RULES AND GUIDELINES**  
**AMENDMENT DECEMBER 2021**

**1. Introduction**

In this document, the terminology and definitions shall bear the same meaning as those in the Constitution of the Tuscan Villas Home Owners' Association (TVHOA) or its Conduct Rules, unless they have specifically been changed to have a different meaning.

The purpose of these rules is to ensure that all additions, alteration and extensions to villas are consistent with the architectural character in the complex, to maintain a harmonious and acceptable environment and there to ensure that the value of the owners' investment is not compromised.

Existing deviations in the complex from these rules are accepted as fair and owners will therefore not be requested to rectify them.

Plans of the proposed alterations/additions to houses with necessary details must be submitted and approved in writing by the Trustee Committee of the TVHOA before submission to the Local Authority. Should the Trustee Committee fail to reach a unanimous decision about an application in terms of these Architectural Rules and Guidelines, the application should be referred to a special meeting of the TVHOA for final decision. Any dispute between an owner and the TVHOA can be referred to arbitration according to rules 14.7 to 14.13 of the Constitution of the TVHOA.

These rules are supplementary to the requirements of the Local Authority and the National Building Regulations Standards Act, 1977 (Act 103 of 1977) as amended from time to time (the Act) and must be read in conjunction with the Constitution of the TVHOA and its Conduct Rules.

Any proposed amendment or addition to these rules and guidelines shall require the consent of 75% of the members of the TVHOA present in person or by proxy at an Annual General or Special General Meeting and the consent of the Local Authority.

Any minor departure from the TVHOA architectural guidelines and town housing (GR!) and general residential zone 1 can be a variation to existing guidelines.

Special permission is required from TVHOA who in turn must apply to have the municipality for special permission for such a departure from the zoning scheme.

## 2. Building lines within the town housing development.

The following building lines, subject to Paragraph 3.4 shall apply

### Internal building lines:

- a) The street building lines on internal roads are 1.0m, provided that garages must be set back at least 5,0m from the curb
- b) The lateral and rear building line is 1,0m
- c) A garage may be constructed at 0m on one internal side boundary and 0m on the internal rear boundary, provided that the building does not occupy more than 50% of such internal side or rear boundary of General Residential Zone 1: Town Housing (GR1)

### External building lines:

- a) Street building line with Onrus River Main Road, 5.0m
- b) With any other external road, 4.0m
- c) All other building lines 3,0

The wide space between houses is a unique feature of the complex. In considering applications for extensions/additions to houses, this aspect will form an important criteria

## 3. External Design Criteria

- 3.1 The footprint of buildings must be one non-fragmented form. Separate buildings are not allowed.
- 3.2 The height of a building is limited to two storeys. The height of a single storey element is 3.6m measured from the mean natural ground level to wall place level and for a double storey building 5.5m. The mean ground level is a level halfway between the highest and lowest natural levels of the ground immediately contiguous to the building.
- 3.3 Double-pitched roofs of similar design (Coverland Kalahari Farmhouse), colour and pitch as the existing roofs shall apply in the case of lateral or vertical extensions to a house.
- 3.4 The coverage shall not exceed 40% (Total area covered by the house, carport, patio,, veranda and stoep as percentage of the size of the erf)The Floor Area Ratio (FAR) shall not exceed 0.5m (Total area occupied by ground floor as defined above)
- 3.5 All additions shall have a smooth plaster similar to those on existing houses.
- 3.6 Chimneys must be of similar design as those in the complex and may not extend more than 1.2m above the eaves height or 1.2m above their exit point from the roof.
- 3.7 External walls and window sills/mouldings shall be painted in a colour in keeping with that of the complex.

- 3.8 All windows must match the design of existing windows in the complex including plaster moulding around the windows. Window frames are to be white powder-coated aluminium.
- 3.9 Swinging and sliding doors must be constructed from white powder-coated aluminium.
- 3.10 The white entrance doors to patios may be replaced by white powdered-coated aluminium-framed glass doors.
- 3.11 Part of the spacious character of the complex is the low walls separating most properties. Walls facing the internal access road are therefore limited to the existing heights, unless a higher wall is required for a swimming pool. The wall should not exceed 1.8m in height, measured from the lowest point. Approval for the raising adjoining boundary walls shall only be given after consent of the owner(s) of the neighbouring affected villas(s) has been obtained. Such higher walls must furthermore meet the provisions of the Act.
- 4.12 Garden gates are to be of steel construction, of similar design as existing gates in the complex and must be painted white.
- 4.13 The bricks of paving outside courtyard wall shall be of a similar colour and type as existing paving in the complex.

#### **4. Garages and Carport**

- 4.1 One double garage 6m long or single garage per house is allowed. Two adjacent single garages with separate doors are permitted provided they are built on the same level and line.
- 4.2 Garage doors shall be of a similar design and colour as those in the complex.
- 4.3 Any conversion of a garage into living rooms must be in accordance with the general Aesthetic character of the complex and must be approved by the Trustees.
- 4.4 Only one carport is allowed, provided the unit has only one single garage and must be joined to the main building and must be open on three sides.
- 4.5 A garage may be built on the footprint of an existing carport. The roof must be a natural extension of the roof of the existing building.
- 4.6 Carports may not be enclosed or covered with shade cloth awnings. Plant material for coverage is permissible. Carport pillars and parapets must match those in the complex.
- 4.7 No prefabricated shade carports are permitted
- 4.8 The carport roof cover as approved at the AGM of 30<sup>th</sup> April, 2021 may be constructed from material with a smooth flat surface provided it is well within the parapet of the carport to ensure minimum visibility from the common area. Roof cover must be painted the same colour as the walls of the unit. A standard drawing has been approved by the Trustees.

## **5. Balconies, verandas, patios, pergolas, balconies and awnings.**

- 5.1 Balconies on the second level of double –storey may be enclosed on the condition that the roof constructed over the balcony forms a natural extension of the roof of the house and that walls and windows along the sides conform to the rest of the house on that level.
- 5.2 Balustrades to balconies must be steel and are to be arranged in accordance with existing design and of the same thickness of steel as existing balustrades.
- 5.3 Verandas and patios at floor level must have a parapet supported by either round pillars or square pillars with similar colour and design as those in existing carports.
- 5.4 Enclosure of verandas/patios must be done with white powder coated, aluminium framed glass windows, swinging or sliding doors, or frameless glass panels.
- 5.5 The roof cover of verandas/patios must either be an adjustable aluminium louver type (similar to those existing on some of the patios in the complex) or maybe constructed from a material with a smooth flat surface provided it is well within the parapet of the patio to ensure minimum visibility from the common area. Visible roof tops must be painted the same colour as the walls of the house.
- 5.6 Cantilevered balconies may not extrude more than 1200mm beyond the plastered wall of the building.
- 5.7 Pergolas are only permitted on small verandas against existing structures or pillars. No new structures are to be constructed. Pergolas may not be covered in canvas or shade cloth but may support planting.
- 5.8 No canvas or shade cloth covered awnings, visible from the common area are permitted.

## **6. Fencing and security bars**

- 6.1 External shutters and roll-up security grilles and burglar bars are not permitted on windows. Plain horizontal/vertical bars fitted in or onto the window frame on the inside will be allowed and must be of the same colour as the window frames.
- 6.2 Trellis doors are allowed on single entrance doors and on the inside of sliding doors.
- 6.3 No trellises, security spikes, razor wire shall be permitted on interior boundary walls.

## **7. External Fitting and Features**

- 7.1 All external light fittings must match the existing type. Flood lighting is only permitted if they do not affect neighbours. Pole lighting is not permitted.
- 7.2 House numbers must match those existing in the complex. A name-plate next to the front door is allowed.
- 7.3 Fixtures and other items such as washing lines, air-conditioning ducts, satellite dishes, solar heating panels, kennels etc. should be sited discreetly, when possible, out of the view of common area and neighbours.
- 7.4 Television aerial and satellite dishes are to be installed below the upper most roof eaves line.
- 7.5 Solar heating devices are to have their storage tanks concealed from view and separate from their panels. Heating panels are to be mounted flush on the primary roof forms only.
- 7.6 No caravans, trailers, tool sheds, boats, Wendy houses or structures of a temporary nature shall be allowed to be parked or erected in view of any dwelling in the complex.
- 7.8 No pot plants or containers, statues or structures of any sort are permissible on the garden perimeter walls.
- 7.9 Window-mounted air-conditioning units or air-conditioning units on the roof are not allowed

## **8. Swimming Pools**

- 8.1 Plans for swimming pools must be approved by the TVHOA and if applicable also by the Local Authority.
- 8.2 Swimming pools should be either safety-netted or properly walled in with self-closing gates.
- 8.3 The swimming pool backwash or wastewater must be discharged into the storm-water outlets and not into sewer drains,
- 8.4 Pumps and filters must be out of sight and may only be operated from 07.00 to 20.00.
- 8.5 Pools and associated pool decks may not project from the natural ground level by more than 450mm.

