

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
19 May 2015
(Also the agenda for the Mayoral Committee Meeting : 28 May 2015)**

16. ERF 429, 1 WEST ROAD, VAN DYKSBAAI, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE AND RELAXATION OF A RESTRICTIVE TITLE DEED CONDITION : C SPIES

Erf 429 GKB (2768)

**SW van der Merwe
23 March 2015**

(028) 313 8900

Hermanus Administration

RESOLVED :

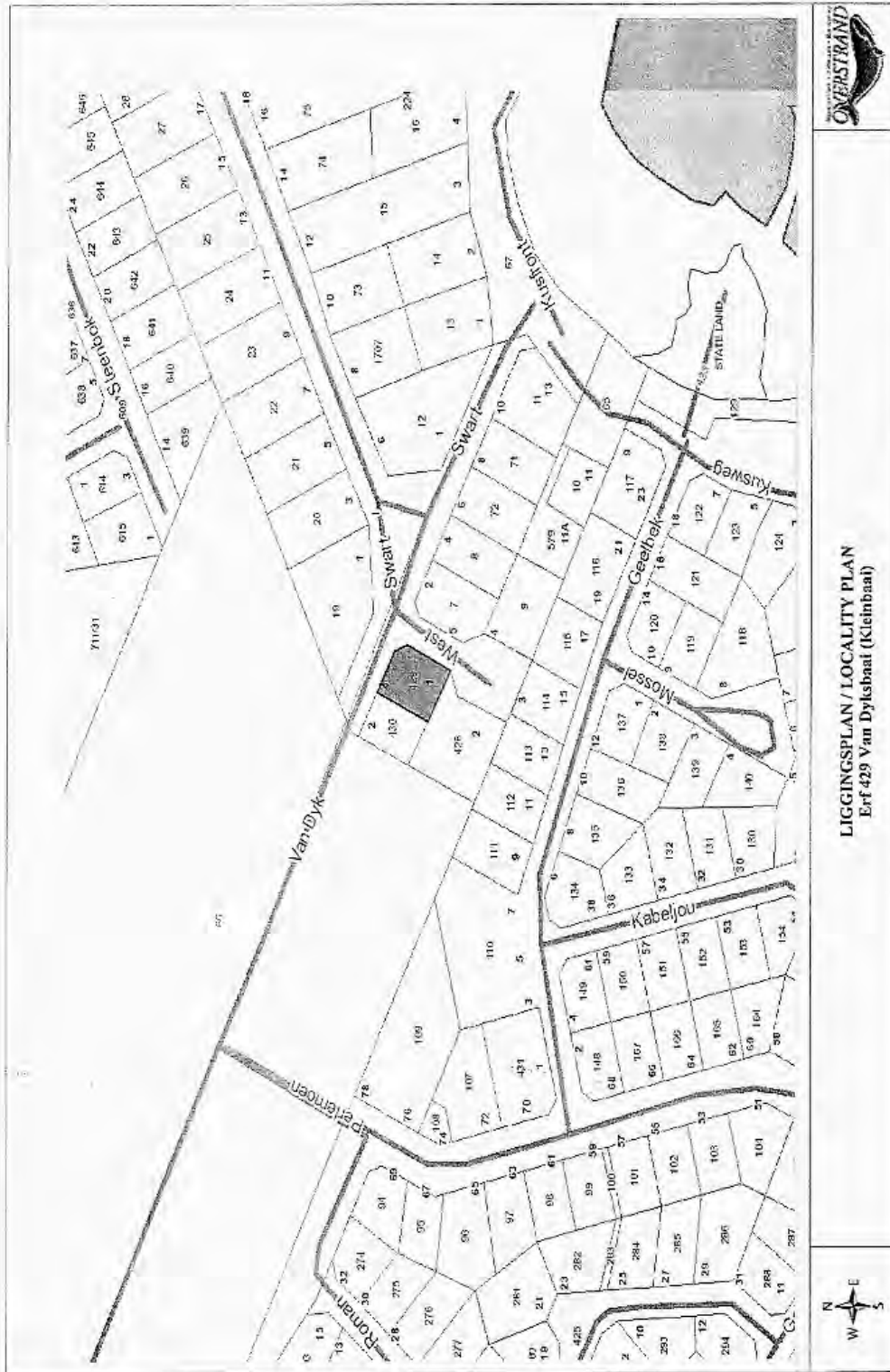
1. that the application for the relaxation of restrictive title conditions in terms of the Removal of Restrictions Act, 1967 (Act 84 of 1967) in order to relax the street-, lateral- and rear building lines to accommodate existing encroachments on the property, as stipulated in Title Deed T13212/34, **be recommended for approval** to the Provincial Government: Western Cape;
2. that the application for departure in terms of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) in order to relax the:
 - . 2m southern lateral building line varying between 0,14m and 0,41m to accommodate the existing double garage;
 - . 2m rear building line vary between 1,85m and 1,75m to accommodate the existing outbuilding (wendy house), and
 - . 4m street building line varying between 0,49m and 0,64m to accommodate the existing first floor stoep,

be approved, subject to the following conditions:

 - (a) that the approval in 2. above be subject to the successful relaxation of the restrictive title deed conditions in 1. above;
 - (b) that this approval only has reference to the relaxation of the building lines as indicated on Plan No. 01/CS/14 dated 5 August 2014, as submitted with the application;
 - (c) that the comment received from the Fire Departure **be complied** with;
 - (d) that building plans be submitted to the Building Department for approval;
 - (e) that the first floor stoep may not be enclosed;
 - (f) that Council reserves the right to rescind the approval if any future eligible objection against the braai area is received;

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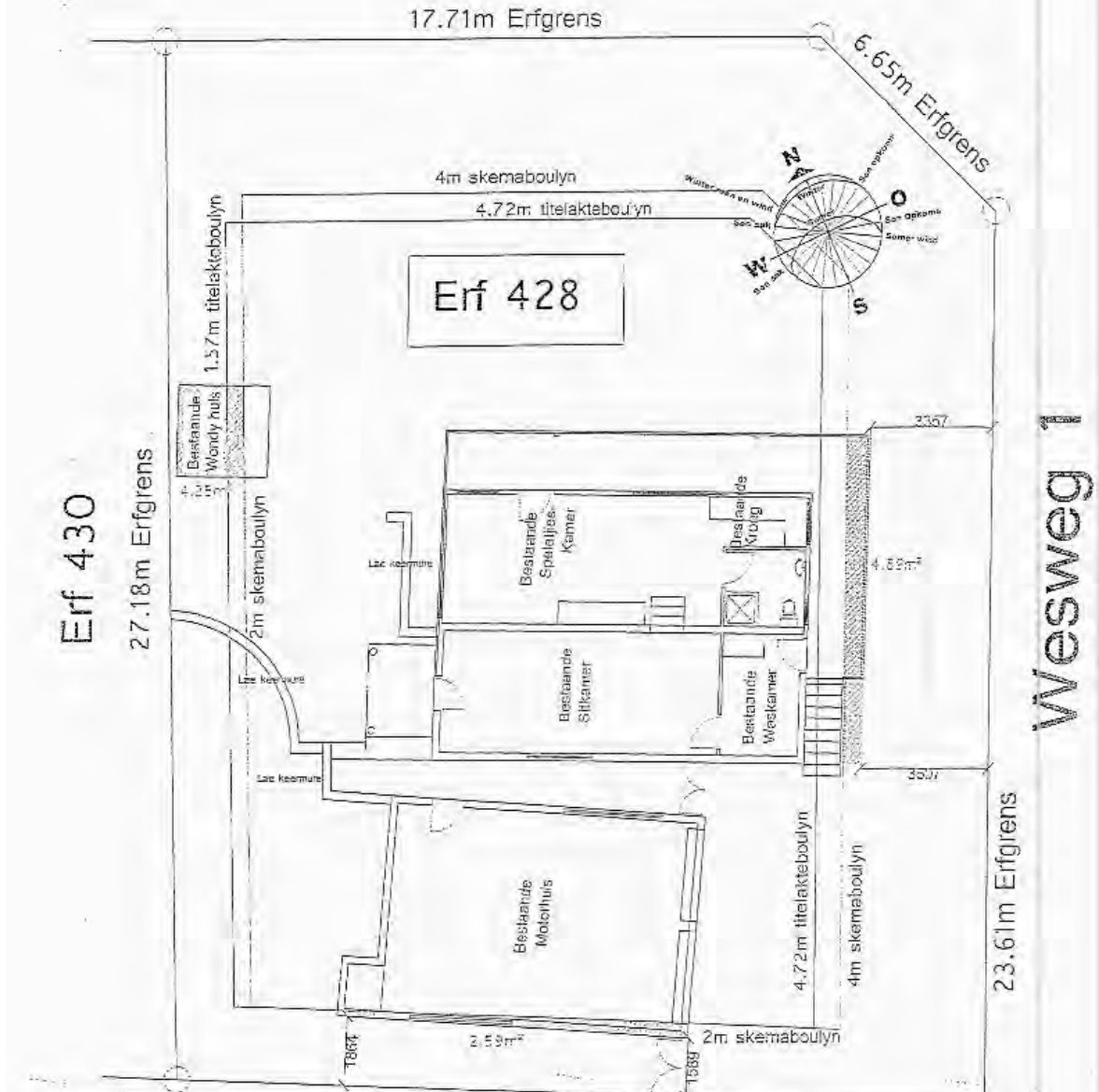
- (g) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (h) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
3. that the applicant be notified of his right of appeal in terms of Section 62 of the Local Government: Municipal Systems Act No 32 of 2000 with regard to the above decision.



LIGGINGSPLAN / LOCALITY PLAN
Erf 429 Van Dyksbaai (Kleinbaai)



Van Dykstraat



Erf 430

27.18m Erfgrens

Wesweg 1

Gericke Argitektoniese Dienste
 Johan Gericke
 P. Aucierstraat (02699)
 Postbus 347, Gansbaai 7220
 Tel/Fax: 026 384 1654 Se: 082 453 8554
 jg@gericke.co.za
 116 van SAT 7507226

Bestaande Woning vir
 Mnr C. Spies te erf 429,
 Wesweg 1, Kleinbaai.

Tekening : Terreinplan
 Projek No: 01/CS/14
 Skaal : 1:100
 Bladsy : 1 van 1
 Datum : 05 Augustus 2014

Okkupasieklas: H1 Wooneenhed
 Populasie: 4 persone per h.j. 247

Oppervlakte:	
Grondverdieping:	70 92m ²
Motorhuis:	51 43m ²
Awning Afkakke:	5 27m ²
Eerste verdieping:	70 92m ²
Balkon:	17 55m ²
Wendy Huis:	5 16m ²
Totaal:	231 85m ²
Erf:	604 00m ²
Dekking:	23 64%

Hierdie Bouplan is opgetrek volgens die standaard vir boutekeninge - SABS 0143

Boland Mekelaars

0448952108

p.20

Posbus 771
GROOTBRAKRIVIER
6525

Die Munisipale Bestuurder
Posbus 26
GANSBAAI
7220

08 Augustus 2014

ERF 429, KLEINBAAI : AANSOEK OM AFWYKINGS EN TITELVERSLAPPINGS.

Erf 429, Kleinbaai is vir enkel residensiële doeleindes gesoneer en 604m² groot. Die eiendom is ontwikkel met 'n woonhuis en gepaardgeerde buitegeboue (motorhuis).

Hiermee word aansoek vir die volgende gedoen (sien blyeplanne):

Motivering vir bestaande motorhuis, wendy huis en Balkon wat die toepaslike westelike syboulyn asook die suidelike axterboulyn asook die oostelike straatboulyn oorskry.

Die bestaande Motorhuis, Wendy Huis en Balkon was destyds deur die Munisipaliteit goedgekeur, maar geen goedgekeurde bouplanne bestaan meer vandag nie en dus word ek genoodsaak om die bogenoemde aansoek te doen.

Ek, C Spies, het die erf in 1984 gekoop en die woning gebou met balkon. Die motorhuis is later bygevoeg vir die beskerming van my voertuig. Die Wendy huisie was ook later bygevoeg vir die stoor van tuin gereedskepe ens. en my buurman het ook mondelings toestemming gegee vir my daarvoor.

Ek is in die proses om die woning te verkoop en daar was opdrag aan my gegee dat ek opdateerde bouplanne moet indien en omrede die woning die boulyne oorskry, word 'n oorskrydingsaansoek genoodsaak.

Titelverslapping

In terme van die wet op opheffing van beperkende titelvoorwaardes word aansoek gedoen om die 1.57m westelike syboulyn te oorskry met 1.37m (Wendy Huis) asook die 4.72m oostelike straatboulyn te oorskry met 1.363m (Balkon), soos voorgeskryf in die titelaktevoorwaardes. Aansoek om titelverslapping is vir dieselfde redes soos hierbo genoem.

Slotsom.

Volgende parking kan op die eiendom voorsien word.

Geen hoogte word oorskry nie.

Geen addisionele dienste (water, krag, riool, stormwater ens.) word benodig nie.

Die aansoeke hierbo sal na mening nie 'n negatiewe impak op die karakter van die omgewing of die bestaande regte van die omliggende grondeienaars inhou nie, aangesien al die strukture vir 'n geruime tyd reeds op die eiendom bestaan.

Die omliggende grondeienaars het skriftelik aangedui dat hul geen beswaar teen die voorstel het nie.

Geen verkeers-siginpak impakte sal voorkom nie.

Dit sal waardeer word indien my aansoek gunstig oorweeg sal word.


C Spies





Town Planning Internal Memo

Enquiries: S W van der Merwe (Senior Town Planner)

Applicant: C Spies

File Reference: 2768

Date: 23 January 2015

Comment By: 6 February 2015

TO:

INTERNAL & EXTERNAL DEPARTMENTS CIRCULATION							
INTERNAL/DEPT	✓	Req	Rec		✓	Req	Rec
Operational (Jan Nel - GB)				Traffic Dept.			
Electrical (Danie Maree - GB)	X	23/01/2015		Building Dept. (R Dickson - GB)	X	23/01/2015	
Environmental Officer (B Kondokter - GB)				Fire Dept. (Joe Schoeman)	X	23/01/2015	
Health Dept. (Chantal Adams)				Engineering Services (D Hendriks)			
Ward Councillor				Area Manager	X	23/01/2015	

SUBJECT: ERF 429 KLEINBAAI

PROPOSAL: DEPARTURE

ATTACHED: Notice, locality plan, lay out plan, motivation

COMMENT ON THE PROPOSAL:

Wendy House - Provide a 2,1 metre high wall on relative property boundary

**OVERSTRAND
FIRE SERVICES**

2015-02-05

D/O SCHOEMAN

Kindly provide your comment (with specific reference to any conditions of approval that should be imposed) in the space provided or in a separate Memo by not later than the date stipulated. Should no comment be received, it will be assumed that you have no objection to the proposal (and where appropriate Mayco will be informed accordingly).

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
19 May 2015
(Also the agenda for the Mayoral Committee Meeting : 28 May 2015)**

17. ERF 2252, 4 FOREL STREET, PEARLY BEACH, OVERSTRAND MUNICIPAL AREA : APPLICATION FOR DEPARTURE : BD FRAZER

Erf 2252 GPB (2652)

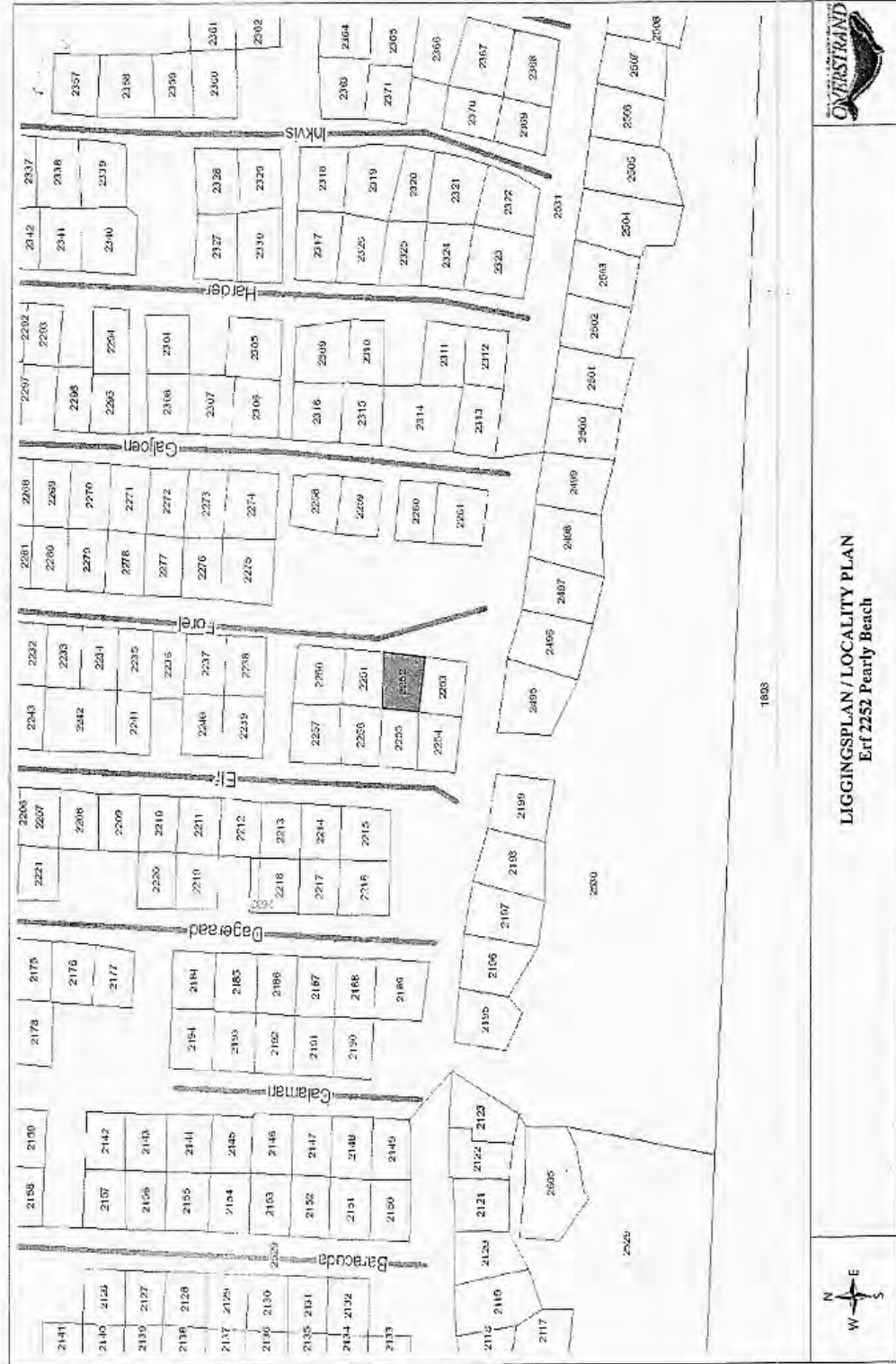
**SW van der Merwe
25 March 2015**

(028) 313 8900

Hermanus Administration

RESOLVED :

1. that in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for departure received from BD Frazer, the owner of Erf 2252, Pearly Beach, in order to retain the existing encroachments of the street-, lateral- and rear building lines, **be approved**, subject to the following conditions:
 - (a) that this approval only has reference to the relaxation of the building lines as indicated on Plan No. JJ35/14 dated 22 July 2014, as submitted with the application;
 - (b) that the carport may not be enclosed on more than two sides;
 - (c) that building plans be submitted to the Building Department for approval and shall be accompanied by an engineering report of the existing structure;
 - (d) that the milkwood tree may not be removed without the relevant permit;
 - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (f) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of their right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.



LIGGINGSPLAN / LOCALITY PLAN
Erf 2252 Pearly Beach



VIR AANDAG
Stadsbeplanning
Hermanus

B.D. Frazer
Blockview Saul straat 6
Brackenfell Heights

**Insake: Oorskryding op straatboulyn "soos gebou" erf no 2252,
Pearly Beach Oord**

Hiermee wil ek u in kennis stel dat ek die huidige woning met die oorskryding aan die straatkant in 2002 so gekoop het. Die sy- en agter-oorskrydings is reeds op 'n vorige plan goedgekeur. Die voorste oorskryding is tans 'n badkamer wat die enigste op die perseel is.

Met die nuwe ontwikkelingsreëls van die oord soos in par 7 van die reëls uiteengesit, word die nodige aansoek gadoen vir die sy- en agter-boulyn sowel as die straat-boulyn soos op die plan aangedui.

Die erf oorkant die straat is groen area. Die oorskryding is minimaal van aard en behoort geen impak te hê op die karakter, waardevermindering of estetika van die omliggende eiendom nie.

U goedgunstige oorweging in die verband sal waardeer word.

Die uwe,

B.D. Frazer
.....
B.D. Frazer

