

**AGENDA of the
Portfolio Committee : Infrastructure and Planning
17 May 2016
(Also the agenda for the Mayoral Committee Meeting : 25 May 2016)**

3.

ERF 4369, 69 CHIAPPINI STREET, ONRUS RIVER, OVERSTRAND MUNICIPAL AREA : TITLE DEED RELAXATION AND PROPOSED DEPARTURE : LA SCHEEPERS

4369 HON (3107)

H Olivier

8 April 2016

(028) 313 8900

Hermanus Administration

1. Executive Summary

An application has been received on 2 November 2015 from LA Scheepers on Erf 4369, Onrus River for a departure from the relevant Scheme Regulations in order to relax the street building line from 4m to 2m and the 2m eastern lateral building line to 0m to accommodate a shade port.

The application also include a relaxation of the 1,89m street building line and 0,94m lateral building line as stipulated in the Title Deed to 0m to accommodate the mentioned structure. This condition was inserted in favour of the Municipality.

A Locality Plan of the property concerned is attached as Annexure A. The proposed Site Development Plan is attached as Annexure B, while the Motivation Report from the applicant in support of the proposal is attached as Annexure C.

2. Service Delivery and Budget Implementation Plan - IGNITE

Infrastructure and Planning
Town Planning

3. Compliance with Strategic Priority

Provision of democratic, accountable and ethical governance

4. Delegated Authority

Executive Mayor

5. Legal Requirements

Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985)

**AGENDA of the
Portfolio Committee : Infrastructure and Planning
17 May 2016
(Also the agenda for the Mayoral Committee Meeting : 25 May 2016)**

6. Background/Discussion/Evaluation/Conclusion

Background/Discussion

Erf 4369, Onrus River is developed with a dwelling with garage. The erf measures approximately 496m² in extend and is zoned Residential Zone I.

The applicant wants to construct a shade port on his property to provide shaded parking for his second vehicle.

The shade port will traverse the Title Deed and Zoning Scheme street and lateral building line, as it will be constructed onto the street and eastern lateral boundary.

The surrounding affected neighbours all consented to the application.

The application was circulated to all relevant municipal departments. No objections were received.

Evaluation

The shade port will be approximately 7m long and 3,5m wide. It will only be 2,5m at its highest point, and will not have a major visual impact.

The Overstrand Zoning Scheme also specifies that a carport structure could be considered over street building lines, as long as the height is restricted to less than 3m. The structure is only 2,5m in height and therefore complies with this requirement.

Considering the above, the proposed relaxation of the Title Deed building lines and a departure to relax the Zoning Scheme building lines can be positively considered.

Conclusion

The application will not have a negative effect on surrounding property owners or the character of this residential area.

The application is desirable and is supported.

7. Financial Implications

None

**AGENDA of the
Portfolio Committee : Infrastructure and Planning
17 May 2016
(Also the agenda for the Mayoral Committee Meeting : 25 May 2016)**

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

Engineering Services Department

See Annexure D.

Building Control Department

Supported. Minimal impact – to comply with SANS 10400.

Fire Department

No objection.

Operational Manager

No objection.

10. Annexures

- Annexure A: Locality Plan
- Annexure B: Site Development Plan
- Annexure C: Motivation
- Annexure D: Services Report
- Annexure E: Comments from Eskom

RECOMMENDATION:

1. that the application for the relaxation of the eastern 0,94m Title Deed building line to 0m and the 1,89m street building line, as stipulated in Condition C(c) of Title Deed T005492/1911 of Erf 4369, Onrus River, **be approved**;
2. that, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 4369, Onrus River to allow the relaxation of the eastern lateral building line from 2m to 0m and the street building line from 4m to 0m, to accommodate a shade port, **be approved**, subject to the following conditions:
 - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;

**AGENDA of the
Portfolio Committee : Infrastructure and Planning
17 May 2016
(Also the agenda for the Mayoral Committee Meeting : 25 May 2016)**

- (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (c) that this approval is only for the relaxation of building lines indicated on Plan No. 2015/08/33, which was submitted with the application;
 - (d) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage; and
 - (e) that all the conditions imposed by Eskom in their letter dated 2 February 2016 (attached as Annexure E) be complied with.
3. that the applicant be notified of its 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.

RESPONSIBLE OFFICIAL :	H OLIVIER
TARGET DATE FOR IMPLEMENTATION :	8 JUNE 2016
TARGET DATE TO INFORM APPLICANT :	8 JUNE 2016
TARGET DATE TO INFORM OBJECTOR :	N/A

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
17 May 2016
(Also the agenda for the Mayoral Committee Meeting : 25 May 2016)**

3.

**ERF 4369, 69 CHIAPPINI STREET, ONRUS RIVER, OVERSTRAND MUNICIPAL
AREA : TITLE DEED RELAXATION AND PROPOSED DEPARTURE :
LA SCHEEPERS**

4369 HON (3107)

H Olivier

8 April 2016

(028) 313 8900

Hermanus Administration

**THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON
17 MAY 2016, WHICH COMMITTEE SUPPORTED THE RECOMMENDATION**

RESPONSIBLE OFFICIAL :

H OLIVIER

TARGET DATE FOR IMPLEMENTATION :

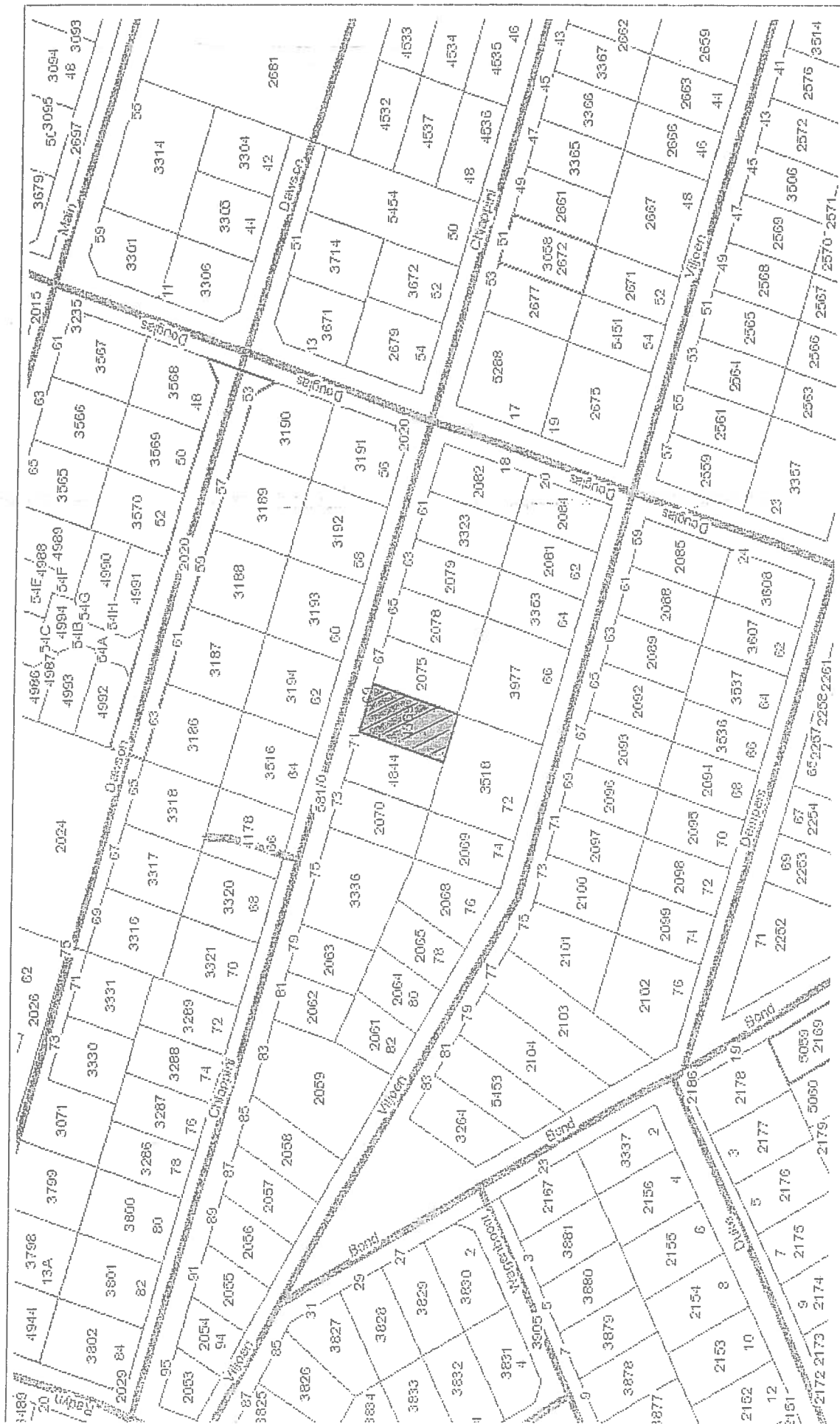
8 JUNE 2016

TARGET DATE TO INFORM APPLICANT :

8 JUNE 2016

TARGET DATE TO INFORM OBJECTOR :

N/A



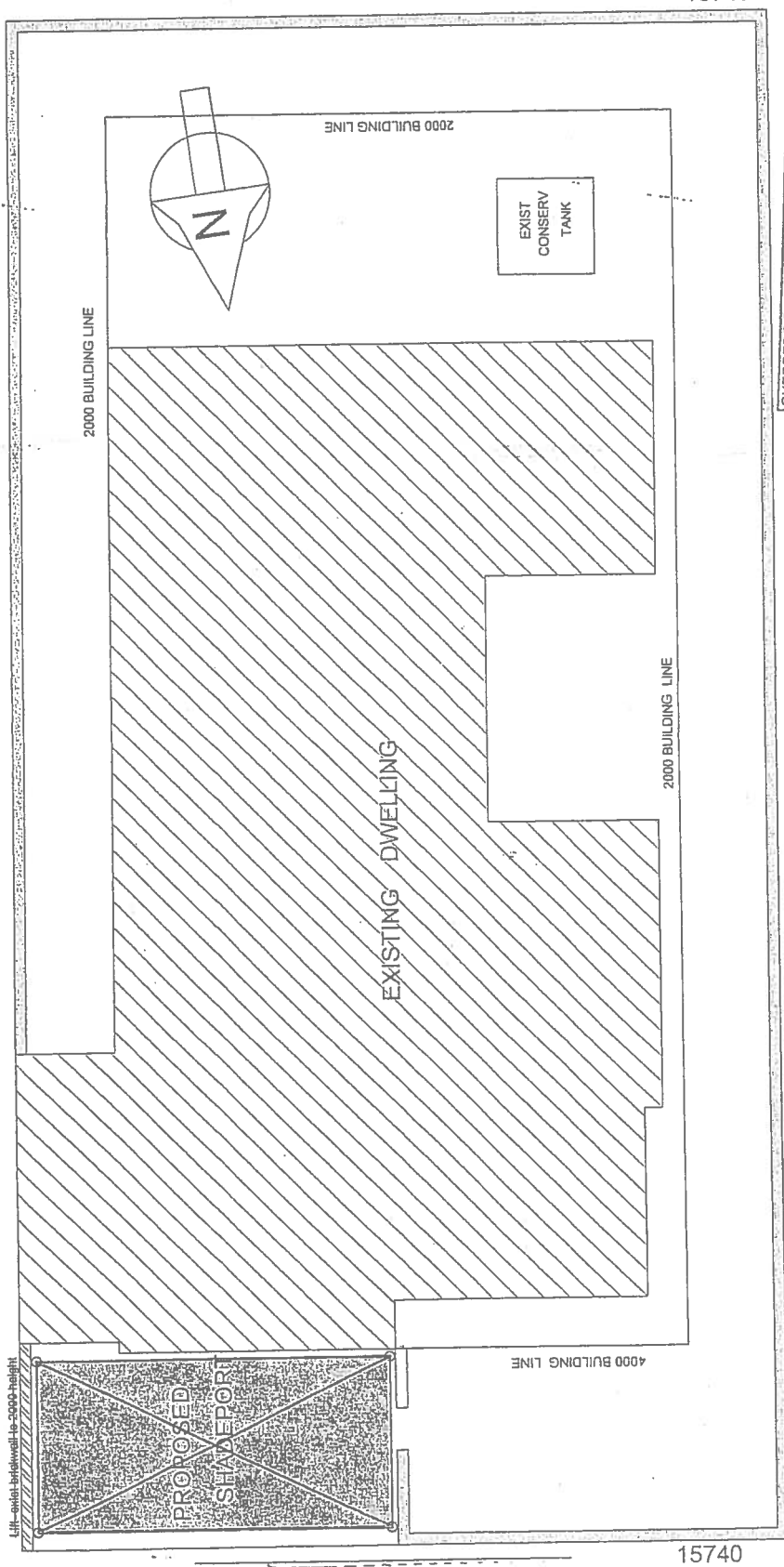
Erf 4369 Onrus River
Locality Map



MUNICIPALITEIT OORSTRAND MUNICIPALITY
 FIRE BRIGADE / BRANDWEER
 APPROVED / GOEDGEKEUR
 11 SEP 2015



31490



OVERBERG DISTRIKSMUNICIPALITEIT
 OMGEWINGSGESONDHEID
 ENVIRONMENTAL HEALTH
 GOEDGEKEUR / APPROVED
 DATUM / DATE: 1.9.2015

31490

15740

CHIAPPINI STREET

Kranscher

Lift-height: refer to 2000 height

AP - LON DESIGNS EGNO : DO 993 designs478@gmail.com ELL : 0849051055	PROJECT PROPOSED SHADE PORT	SCALE : 1: 100	OWNER HOUSE SCHEEPERS ERF 4369 ONRUS PLANNO 2015 / 08 / 33
---	-----------------------------------	----------------	--

Die Bestuurder
Stadsbeplanning
Patersonstraat 16
Hermanus

02/11/2015

Geagte Heer

Aansoek boulynoorskryding:

Hiermee doen ek die ondergetekende aansoek om die verslapping van die straatboulyn. Ek is woonagtig in Chiappinistraat 69 en wil graag n skadunet-afdak oor my plavesiel gedeelte voor my motorhuis aanbring. Die doel hiervoor is om skadu te voorsien vir my tweede motorvoertuig wat permanent buite staan en nie in die motorhuis kan inpas nie. Die son verniel die voertuig se bekleedsel en die afdak moet as teenvoeter dien.

Die afdak sal volgens die bouplan opgerig word deur n professionele instansie (The Shade Shop) en sal inpas by die bestaande huis . Toestemming is reeds van bure beide kante van my verkry sowel as die bure direk oorkant my huis.

Ek hoop en vertrou dat u my aansoek goedgeunstiglik sal oorweeg. Indien u enige verdere navrae het kontak my gerus by 083 2848 728.

Vriendelike groete.



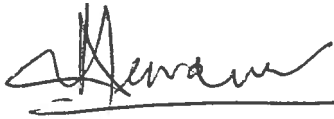
Andre Scheepers.

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR RELAXATION & DEPARTURE: ERF 4369, ONRUS RIVER
(3107)**

Water	:	In order
Electricity	:	Escom
Stormwater	:	In order
Roads & Traffic	:	In order
Sewer	:	In order

Conditions:

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the developer's cost;
2. that stormwater be allowed to discharge through Erf 4369, Onrus River, unobstructed;
3. that no on-street parking be allowed.



**DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES**

17/2/2016

DATE

**OVERSTRAND MUNICIPALITY**

P.O.Box 20
HERMANUS
7200

TP - A Theart
(H Olivier)

Date:
02.02.2016

Enquiries:
Mr. Nickey de Koker
Tel: 021 980 3667
Fax: 021 980 3053

Attention: Loriaan Isaacs

**ERF 4369, 69 CHIAPPINI STREET, ONRUS STREET, OVERSTRAND MUNICIPAL AREA:
PROPOSED RELAXATION AND DEPARTURE: LA SCHEEPERS
OUR REF: 00125/16**

I refer to your letter dated 21 January 2015 and include the following drawing, indicating existing Eskom underground and O.H. line services (servitude) with the exception of possible LV / streetlight services in area concerned that may be affected by proposal:

- **Drawing Number: Wayleave Request: 00125/16**

Eskom has no objection to the proposal provided that the following requests are adhere to:

- Should it be necessary to relocate / support or protect any of the existing Eskom services, at least 3 months notice in writing is required and the costs will be for the account of the Developer / Applicant.
- Eskom's right on the properties not to be affected.
- All services indicated on included drawing to be verified on site.
- Enclosed find a copy of the **Occupational Health and Safety Act (Act No. 85 of 1993)**
- Our existing power lines and infrastructure being acknowledged as established infrastructure and our existing rights not be affected.
 - No building, any structures or trees may be erected within 9m from any Eskom 11kV power line; or within 6m from any structure supporting mechanism.
 - No work may take place closer that 5m from any overhead power line.
 - No building may be erected within 3m from any Eskom underground cable.
 - Eskom shall at all times have unobstructed access to and egress from its services.
- Note:
 - Included drawing indicates existing Eskom services in the vicinity and is for information/ planning only and should not be issued.
 - This is not an approval for applicant / future owner to undertake any work in close proximity of Eskom's services in proposed area as indicated on included drawings.
 - Formal application must be made to Eskom, Land Development, P.O. Box 222, Brackenfell, 7561 – **Attention: Rochelle McPherson.**
 - Request for comment should be referred to the Local Authority (City of Cape Town)(Application may also be affected by their services.)(Streetlight services not part of Eskom Network)

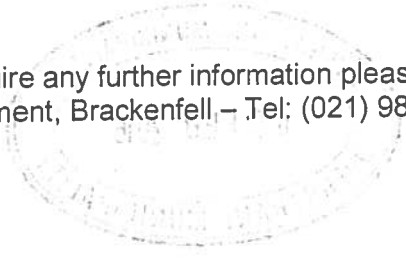
Western Region
Eskom Road Brackenfell 7560 PO Box 222 Brackenfell 7561 SA
Tel +27 86 003 7566 www.eskom.co.za

Eskom Holdings SOC Limited Reg No 2002/015527/30

FILE NO: EL 4369-HOH
SCAN NO: 16
COLLABORATOR NO: 873624



(iv) Should you require any further information please contact Nickey de Koker, Land Development, Brackenfell, – Tel: (021) 980 3667.



Yours faithfully

Nickey de Koker
LAND DEVELOPMENT (BRACKENFELL)

ESKOM (WESTERN REGION)

OCCUPATIONAL HEALTH AND SAFETY ACT (Act No 85 of 1993) WITH REGULATIONS

D16 (7) Excavations

"The builder or excavator shall ascertain as far as possible the location and nature of underground services likely to be affected by the excavation and take such steps as may be necessary to prevent danger to persons".

THE ELECTRICITY ACT (Act No 41 of 1987)

Section 27 (3) : Offences and Penalties

"Any person who without legal right (the proof of which shall be upon him) cuts or damages or interferes with any apparatus for generating, transmitting or distributing electricity, shall be guilty of an offence and liable on conviction to a fine not exceeding R2 000,00 or to imprisonment for a period not exceeding twelve months".