

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

**7.
ERF 4856, 23 LAKESIDE DRIVE, BETTY'S BAY, OVERSTRAND MUNICIPAL AREA
: PROPOSED DEPARTURE & RELAXATION : S SCHUTTE ON BEHALF OF RA &
V ROBERTSON**

4856 KBB (3167)

H van der Stoep

11 April 2016

(028) 313 8900

Hermanus Administration

1. Executive Summary

An application has been received on 17 December 2015 from S Schutte on behalf of RA & V Robertson on Erf 4856, Betty's Bay for a departure from the relevant Scheme Regulations in order to relax the lateral building line with Erf 4855 from 2m to 0m to accommodate a proposed carport.

An application has also been received for a relaxation of the Title Deed restriction in order to relax the lateral building line with Erf 4855 from 1,5m to 0m to accommodate a proposed carport.

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- and Spatial 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)

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6. Background/Discussion/Evaluation/Conclusion

Background

Registered letters were sent to surrounding possibly affected neighbours and one (1) objection was received. After discussions between the Applicant and the objector the objection was withdrawn.

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

Discussion

The restrictive condition in Title Deed T11427/2016, Page 3, Condition B.7. reads as follows:

“No building or structure or any portion thereof except boundary walls and fences, shall, except with the consent of the Administrator, be erected nearer than 5m to the street line which forms a boundary of this erf nor within 3m of the rear or 1,5m of the lateral boundary common to any adjoining erf, provided that with the consent of the Local Authority:-”

Evaluation

The application property is located in Lakeside Drive in Betty's Bay. The approved building has a single garage next to the house on the western side of the property. The application for the carport is located next to and in line with the existing garage, which comply with the 5m street building line restriction. The owner has two cars and need a covered area for the additional car.

In terms of the Overstrand Zoning Scheme, the housing of motor vehicles is allowed with the consent of the neighbour, however in this case the restrictive conditions in the Title Deed has resulted in an application to be distributed.

Initially an objection has been received from a neighbour on the eastern side of the property, whilst the carport is located on the western side of the property. This aspect has been clarified and the objection was withdrawn.

Conclusion

The application is recommended for approval.

7. Financial Implications

None

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8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

Engineering Services Department

See Annexure D.

Building Control Department

Complies with Town Planning Scheme – well below 3,5m maximum height. Supported.

Fire Department

No objection provided that the carport is not enclosed on more than two sides in terms of the National Building Regulation SANS 10400 T : 2011.

10. Annexures

- Annexure A: Locality Plan
- Annexure B: Site Development Plan
- Annexure C: Motivation
- Annexure D: Services Report

RECOMMENDATION:

1. that the relaxation of the Title Deed Condition B.7. of Title Deed T11427/2016 on Erf 4856, Betty's Bay in order to relax the lateral building line with Erf 4855 from 1,5m to 0m to accommodate a proposed carport, **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 4856, Betty's Bay in order to relax the lateral building line with Erf 4855 from 2m to 0m to accommodate a proposed carport, **be approved**, subject to the following conditions:
 - (a) that this approval is only for the relaxation of building lines to accommodate a carport only as indicated on Plan Number D.577.B (1-4) dated 1 December 2015, which was submitted with the application;
 - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;

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Portfolio Committee : Infrastructure and Planning
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- (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (d) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building – and Fire Department be complied with at that stage; and
 - (e) that all conditions imposed in the Services Report (attached as Annexure D), 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 VAN DER STOEP
TARGET DATE FOR IMPLEMENTATION :	8 JUNE 2016
TARGET DATE TO INFORM APPLICANT :	8 JUNE 2016
TARGET DATE TO INFORM OBJECTOR :	N/A

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4856 KBB (3167)

H van der Stoep

11 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 VAN DER STOEP

TARGET DATE FOR IMPLEMENTATION : 8 JUNE 2016

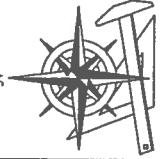
TARGET DATE TO INFORM APPLICANT : 8 JUNE 2016

TARGET DATE TO INFORM OBJECTOR : N/A



Areas:	16.8m ²
Carport	209.12m ²
Footprint	1153m ²
Erf	18.5%
Coverage	
Class of occupancy of building	H4
Occupancy	Dwelling House
Population	4
Orientation	South
Climatic Zone	4 - Temperate Coastal

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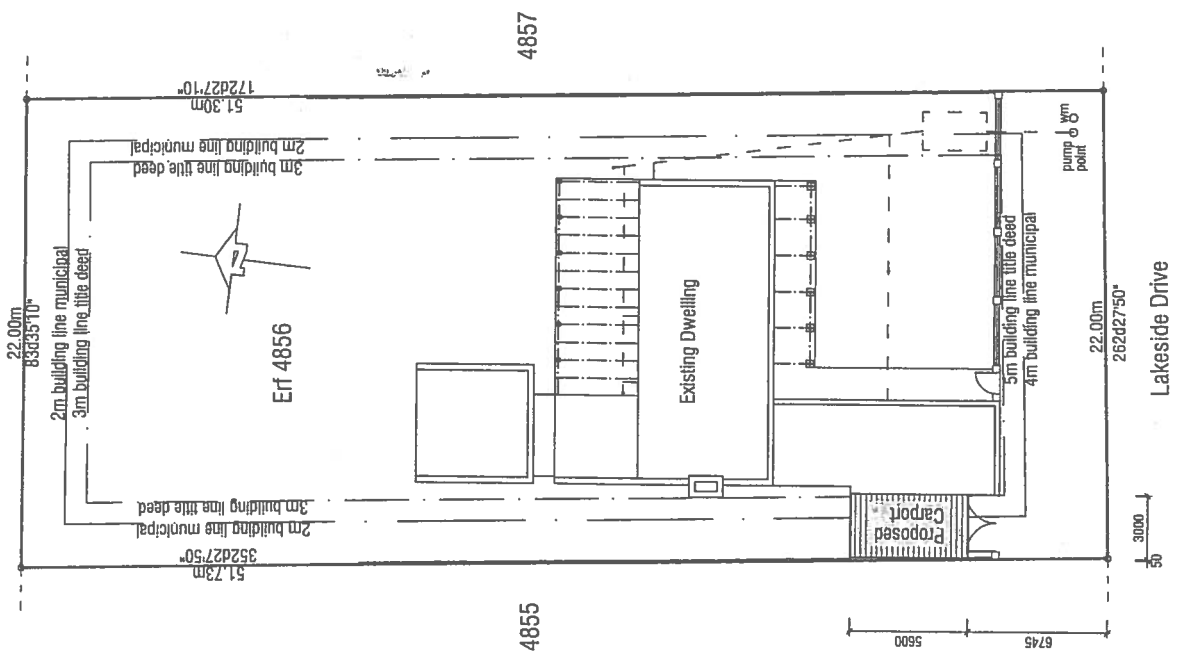


SACAP Reg No: Pt Arch 21077
Client
 Robertson
 602
Owner Signature

Project
 Town Planning Application
 Proposed Carport
 Erf No. 4856
 Lakeside Drive
 Betty's Bay

Drawing	LS	Checked	SS
Site Plan	Revision	Date	2015/12/04
Scale	1:250		
Drawn			
Project No			
D.577.B	0	Sheet No	1 of 4

2002

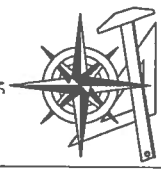


Site Plan
 Scale 1:250

General Specifications
 All building work in accordance with the National Building Regulations and the South African Standard Code of Practice SANS 10400.
 Sewer work in accordance with the National Building Regulations and Municipal by-laws.
 All structural concrete work to Engineer's design and specification.
 All changes in level, the design of ramps and driveways in accordance with the detailed requirements of SANS 10400-D.
 Builders toilet and site operations to be in accordance with SANS 10400-F.
 Fire safety to comply with SANS 10400-T and the Overstrand Fire Safety By-law PN 6454 - 2006.
 All materials and fittings used to be SABS approved. It is the responsibility of the Owner to appoint a Land Surveyor to confirm erf boundaries.
 It is the responsibility of the Owner to appoint a Health and Safety Agent to comply with the Construction Regulations 2014 and the Occupational Health and Safety Act.
 Gas installation plan to be submitted by installer if required.

Scaled dimensions invalid. All measurements have to be checked on site before work can commence. Copyright reserved. Any discrepancies or errors must be reported to the Architect.

Sandra Schutte
 B.Arch.(J.P.)
 Pr. Arch, MArch, CA

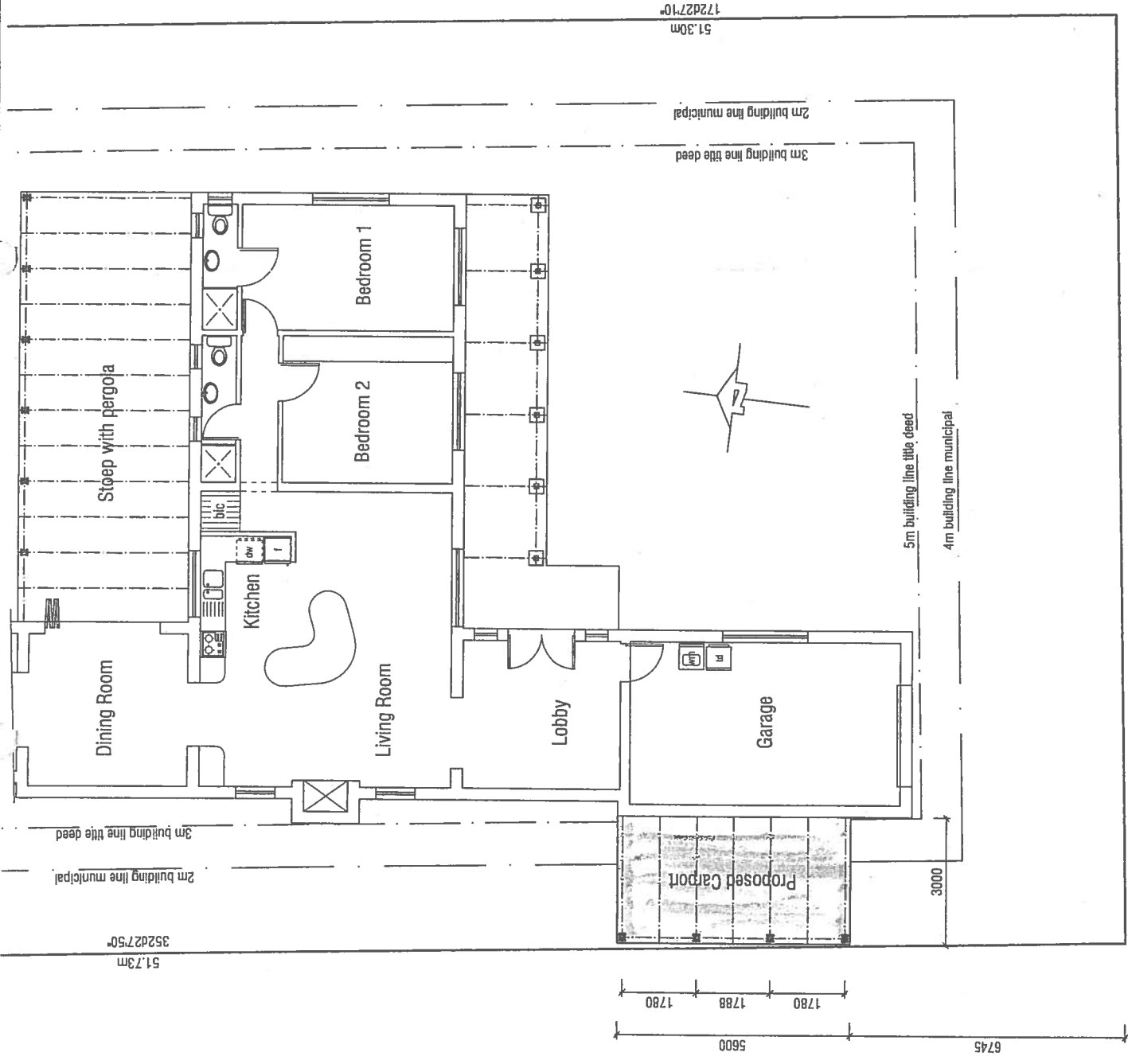


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SACAP Reg No: Pr Arch 21077
 Client **Robertson**
 Owner Signature

Project
**Town Planning Application
 Proposed Carport
 Erf No. 4856
 Lakeside Drive
 Betty's Bay**

Drawing		Ground Storey Plan	
Scale 1:100			
Drawn	LS	Checked	SS
Project No	Revision	Date	Sheet No
D.577.B	0	2015/12/14	2 of 4



Ground Storey Plan
 Scale 1:100

Scaled dimensions invalid. All measurements have to be checked on site before work can commence. Copyright reserved. Any discrepancies or errors must be reported to the Architect.

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SACAP Reg No: Pr Arch 21077

Client **Robertson** 602

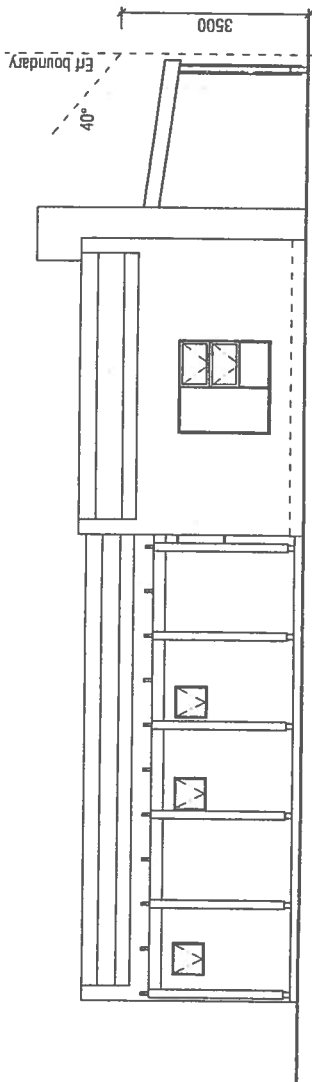
Owner Signature

Project
**Town Planning Application
Proposed Carport
Erf No. 4856
Lakeside Drive
Betty's Bay**

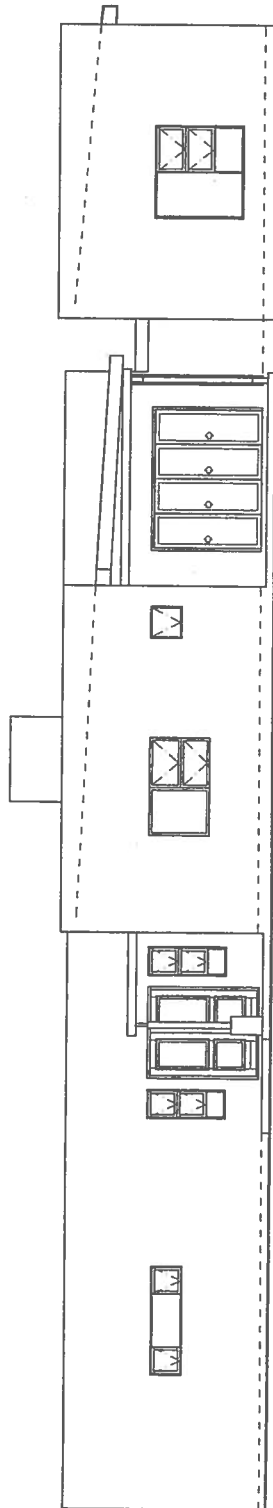
Drawing
Elevations

Scale **1:100**

Drawn	LS	Checked	SC
Project No	Revision	Date	Date
D.577.B	0	2015/12/04	3 of 4
		Sheet No	



North Elevation



East Elevation

Scaled dimensions invalid. All measurements have to be checked on site before work can commence. Copyright reserved. Any discrepancies or errors must be reported to the Architect.

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SACAP Reg No: Pr Arch 21077

Client
Robertson

602

Owner Signature

Project

Town Planning Application
Proposed Carport
Erf No. 4856
Lakeside Drive
Betty's Bay

Drawing
Elevations

Scale 1:100

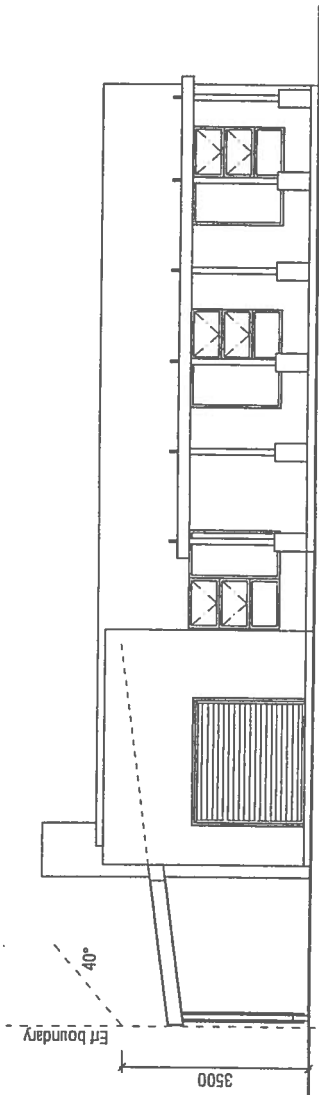
Drawn LS

Checked

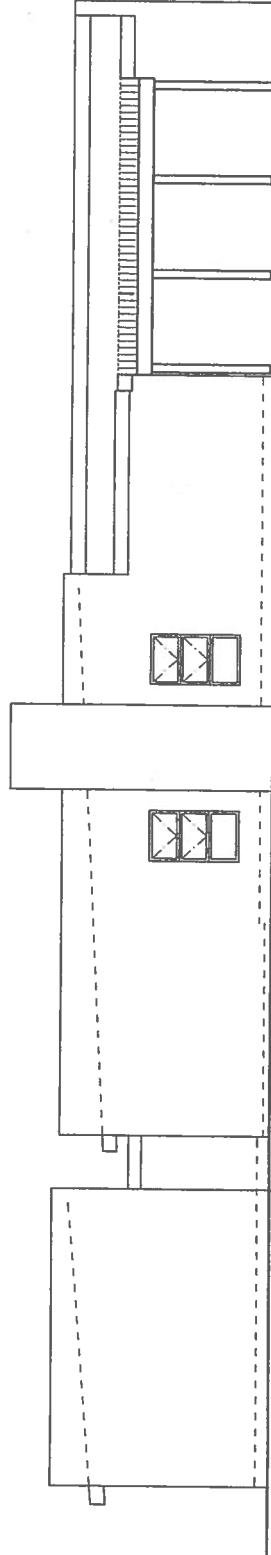
Revision 0

Date 2015/12/24

Sheet No 4 of 4



South Elevation



West Elevation

The Town Planner

Overstrand

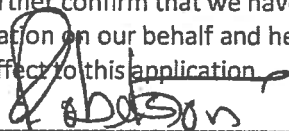
Dear Sir

APPLICATION FOR RELAXATION OF RESTRICTIONS – CARPORT ON 4856 LAKESIDE DRIVE

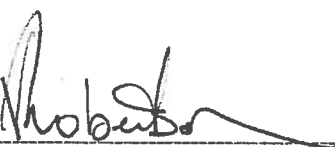
BETTY'S BAY

Further to the above application, we confirm that we require a carport to be erected alongside the house as we have two cars and only one garage. Bearing in mind that the house is situated less than 1 km from the sea, motor vehicles are likely to be at risk of rust and deterioration unless suitably protected

We further confirm that we have requested Sandra Schutte to handle all matters pertaining to this application on our behalf and hereby grant her authority to do all things necessary on our behalf to give effect to this application



R A ROBERTSON



V ROBERTSON

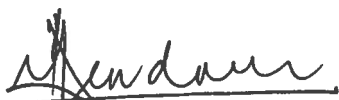
12 December 2015

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE: ERF 4856, BETTY'S BAY (3167)**

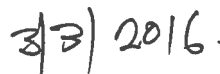
Electricity	:	Escom Area
Stormwater	:	In Order
Water	:	In Order
Sewer	:	In Order
Roads and traffic	:	In Order

Conditions:

1. that only the standard 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 4856, Betty's Bay, unobstructed;
3. that no on-street parking be allowed.



**DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES**



DATE