

ERF 317, 16 ROELLA STREET, ROOI ELS: APPLICATION FOR DEPARTURE: BIRU ARCHITECTS (obo AS POTGIETER)

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 been received for a departure in terms of Section 16(2)(b) to relax the street building line from 4m to 0m to accommodate a garage.

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 and at the Betty's Bay Library, Clarence Drive, Betty's Bay and the RESA Office, Anemone Road, Rooi Els. 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) loretta@overstrand.gov.za) on or before **24 June 2022**, quoting your name, address and contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to **Ms. H van der Stoep** 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 317, ROELLA STRAAT 16, ROOI ELS: AANSOEK OM AFWYKING: BIRU ARCHITECTS (nms AS POTGIETER)

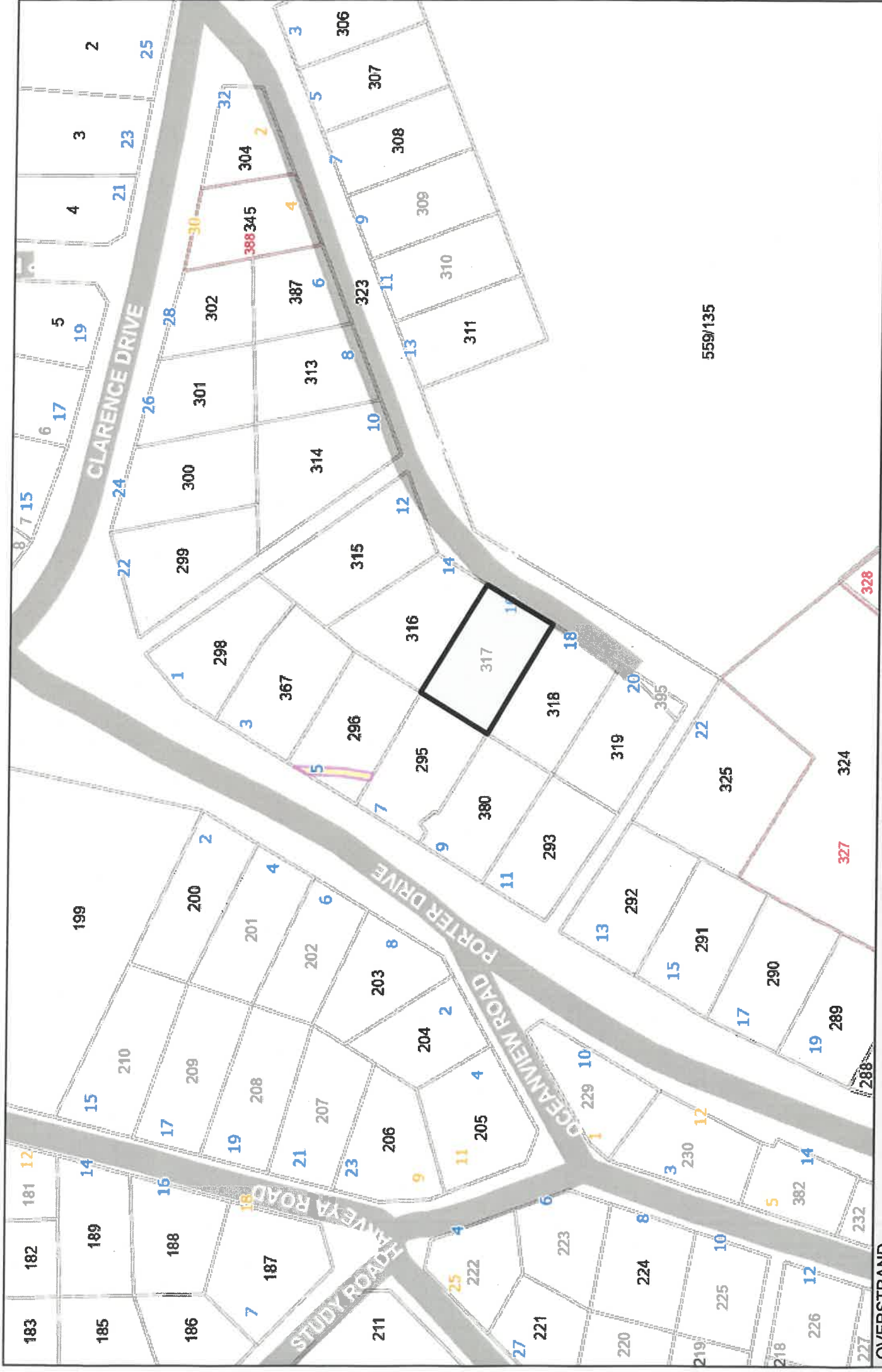
Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 dat 'n aansoek om afwyking ingevolge Artikel 16(2)(b) ontvang is, ten einde die straatboulyn vanaf 4m na 0m te verslap om 'n motorhuis te akkommodeer.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weekdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus en by die Bettysbaai Biblioteek, Clarencerylaan, Bettysbaai en by die RESA kantoor, Anemoneweg, Rooiels. 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) loretta@overstrand.gov.za) voor of op **24 Junie 2022**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan **Me. H van der Stoep** at 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 317, 16 ROELLA STREET, ROOI ELS: ISICELO SOPHAMBUKO: BIRU ARCHITECTS (obo AS POTGIETER)

Isaziso sinikwe ngokwemiqathango yeCandelo 48 loMthetho oYilwayo kaMasipala oLungisiweyo woMasipala wase-Overstrand ongoCwangciso lokuSetyenziswa koMhlaba kaMasipala, 2020 sokokuba isicelo sifunyenwe sophambuko ngokwemiqathango yeCandelo 16(2)(b) sokunyenysiswa komda wesakhiwo esisecaleni ukususela kwi-4m ukuya kw-0m ukulungiselela ulwakhiwo lwegaraji.

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ngeentsuku zomsebenzi phakathi kweyure-08:00 ne-16:30 kwiSebe: loCwangciso lweDolophu, Paterson Street, eHermanus nakwiThala leeNcwadi laseBetty's Bay, Clarence Drive, eBetty's Bay kunye neRESA Office, Anemone Road, Rooi Els. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 alo Mthetho uYilwayo kaMasipala mazithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) ngomhla okanye ngaphambi komhla **wama-24 kuJuni 2022**, unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuza into malunga nesi saziso ungafonela u- **Nksk. H van der Stoep** kule nombolo yomnxeba 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.





Date: 08 April 2022

Project: House Potgieter

Client: Dr. Adriaan Potgieter

Site: Erf 317, 16 Roella Road, Rooi-Els

Attention: Mrs. Hanneen van der Stoep (Head Town Planner Overstrand, Rooi-Els region)

CC: Overstrand Town Planning & Building Control

RE: Motivation for the Relaxation of Street Building Line for Erf 317, Rooi-Els

The owner and architect propose to develop a single residential dwelling on Erf 317 of which municipal plans are already approved. After careful review, the necessity of adjusting the parking area as per submitted plan became apparent and excavation in this specific area halted to avoid landslide. This letter serves as motivation for the application thereof.

As excavation started, it became apparent that the area indicated for parking on the current plan is not suited. The gradient between the road and the house is extremely steep - approximately 34°, and the soil structure quite unstable and of low density. This is due to the fact that this specific location actually forms part of the embankment created below the road, as was needed for the construction of Roella Road (Northwestern side of Roella). Therefore, the earth structure (soil density) on the embankment is low and not solid, and disturbance of it (as will be necessary for the concrete works under the proposed parking) may result in a down slide of the embankment, as well as the road verge and even the road itself. It may also create a significant erosion factor. Fortunately, this embankment has been covered with well-established Fynbos over the years, which stabilizes the embankment and the soil density, and which should ideally be protected.

Furthermore, the neighbour's driveway (Erf 318, Stofberg) actually traverses the border of this plot (Erf 317, Potgieter) by 2 meters over beacon C (refer to surveyors drawings) and disturbance of this embankment may also result in a down slide of a significant portion of his driveway.

Nature conservation:

In addition, the entire design of the house and the building operations were planned with specific instruction and objective to reduce the footprint of the house and building operations on the delicate Fynbos and mountain landscape. Minimal excavation was the objective, also avoiding a long and winding driveway down the slope. With the current design, more than two thirds (>66%) of the existing plot will remain untouched by the house construction, and the protected areas will even be temporarily fenced off for this purpose, to avoid any entry on those parts. Hence the house was positioned close to the road in such a way to minimise the impact on nature, both natural Fynbos growth and the geography. Big rocks encountered during excavation were left intact, excavated around them rather than removing them for respecting nature and earth stability. One of the column positions will be shifted also for this purpose.

biru architects

biru architects (pty) ltd registration nr. 2019 / 145880 / 07 3 rowan lane cape town 7708 south africa

telephone +27 82 665 2545 website www.studiobiru.co.za

director. c. h. lundie



The current parking places would significantly impact the existing Fynbos, natural geography, and ground stability of the road verge. Hence all ground works / excavations in the specific area of the parking lots were accordingly halted.

The proposed new solution will have the least impact on the existing geography and nature: Excavation and construction needs in any case to be made for placement of the conservancy tank, as per approved plan. It is proposed to make the parking deck above this conservancy tank and the adjacent retention wall.

The only access point to the site is from Roella Road, which together with the road reserve forms the North East Boundary to the Erf. From the R44 Clarence Drive, the dirt road (Roella Road) leads up to various Erfs in a fairly underdeveloped residential area on the foot of Klein Hangklip. Roella Road does not connect to any other roads and terminates at municipal water storage reservoirs. It is the highest point of development accessibly by vehicle in Rooi-Elis.

With reference to submitted plans, a relaxation of the Street Building Line will have little or no impact on existing road networks or infrastructure and be the least invasive method of intervening with the natural landscape, specifically the Fynbos on the South Eastern boundary, which is pivotal to the formulated design concept. As mentioned earlier, the Fynbos bush in question does not only stabilise the slope of the terrain and protect it against erosion, but also serves as privacy barrier between the house and Roella Road. The design opening up onto the ocean as well as Klein Hangklip's side gives more motive not to convert this precious part of the site into parking, but rather to keep the approach as short and practical as possible.

With reference to the Surveyors Drawings, Boundary Pegs B and C are parallel with Roella Road. Boundary Peg B's AMSL (Height Above Sea Level) is at 133.50m and Boundary Peg C's AMSL is at 137.50m. The road and access to the Erf have an incline of $\pm 4\text{m}$ from the lower point (BP B) to the higher point (BP C).

Given the slope of the site of $\pm 17^\circ$ from the lowest Boundary AD at a AMSL mean of 117.50m to the Highest point Boundary BC (as described above), the steep incline of Roella Road 8.77° here and taking into account municipal regulations, environmental impact, ease of construction, access and views, the ideal and most economical location for the Ground Floor level of the house is at AMSL 134.00m.

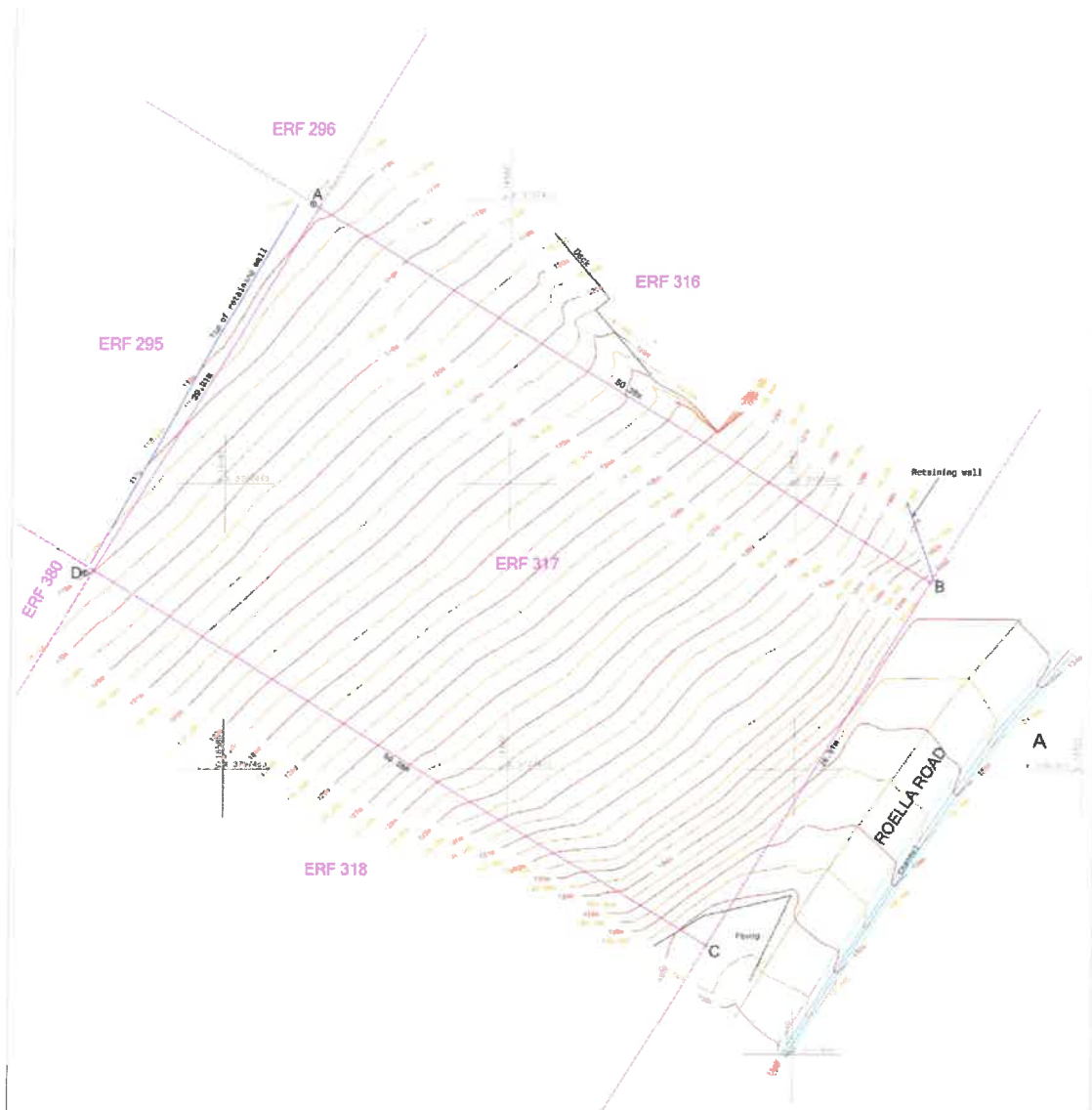
The garage located over the street building line closest to corner (B) of the site means it can be constructed as close to the top or upper boundary (BC) of the Erf and serve as the most uncomplicated and least invasive point of entry from Roella Road. A garage with an AMSL of 133.50m means that the driveway from Roella Lane requires a minimal fall to the point of entry and requires no stairs or complicated level changes.

The precedent of placing the garage over the building line as close to Roella Road as possible, has already been followed by some surrounding properties. Examples of both scenarios can be seen in the photographs below.

biru architects

biru architects (pty) ltd registration nr. 2019 / 145880 / 07 3 rowan lane cape town 7708 south africa
telephone +27 82 665 2545 website www.studiobiru.co.za
director. c. h. lundie

Biru



Site Survey by Friedlaender, Burger & Volkmann

biru architects

biru architects (pty) ltd registration nr. 2019 / 145880 / 07 3 rowan lane cape town 7708 south africa
telephone +27 82 665 2545 website www.studiobiru.co.za
director. c. h. lundie

Biru



Neighbouring property (Erf 315) with Garage on Roella Road Erf Boundary.



Neighbouring property (Erf 318) with garage on Roella Road Erf Boundary, with entrance parallel to Roella Road. Erosion and surface water run-off is problematic and much Fynbos have been sacrificed.

biru architects

biru architects (pty) ltd registration nr. 2019 / 145880 / 07 3 rowan lane cape town 7708 south africa
telephone +27 82 665 2545 website www.studiobiru.co.za
director. c. h. lundie

Biru



Neighbouring property (Erf 316) with garage lower down on Erf to accommodate the steep fall. The approach-driveway is constructed at +2m above NGL at it's highest point, inside the street building line, also due to the steep road embankment. Vehicle access to the plot would be impossible without fill. As a result of the long driveway here, extensive natural vegetation on the embankment have been sacrificed.



Neighbouring property (Erf 316) complex and long, steep driveway as viewed from above.

biru architects

biru architects (pty) ltd registration nr. 2019 / 145880 / 07 3 rowan lane cape town 7708 south africa
telephone +27 82 665 2545 website www.studiobiru.co.za
director. c. h. lundie



As additional motivation, the plans have been presented to the neighbours on Erf 316, Mr Joubert and Erf 318: Mr. Stofberg who concurred the problem and design strategy, both agreeing to the proposed solution by signing of on the plans.

With reference to Title Deed T000029779 / 2020 for the Erf 317, Rooi-Els, it is stated that:

4. (d) no building or structure except boundary walls and fences shall be erected nearer than 4,72 metres to the street line which forms a boundary of this erf nor within 3,15 metres of the rear or 1,57 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the Local Authority an outbuilding not exceeding 3,05 metres in height measured from the floor to the wall plate and no portion of which will be used for human habitation may be erected within the above prescribed rear space, and provided further that a garage may be erected up to such street line if in the opinion of the Local Authority the level of the erf is such as to make that necessary;

From the above extract it is clear that the slope of the earth and future access was taken into account when the property was proclaimed. The height of the proposed garage does not exceed 3,05m from the Finished Floor Level to the top of the Wall Plate and the garage will not protrude more than 300mm above the Ground Level at it's highest point.

With reference to the Schedule of By-law, Overstrand Municipality Land Use Scheme 2020, it is stated under Residential Zone 1 that:

The street building line of erven of 400 m² and greater is 4,0 m, provided that: An erf with an average depth of 20,0 m or less has a 3,0 m street building line

d) Garages and carports *Garages and carports may be constructed within building lines in accordance with Chapter 16.1.2*

Garages and carports within street building lines

16.1.2

a) Upon an application, the Municipality will also take the following principles into account: (i) *The Municipality may permit the construction of a garage over a street building line if, in the Municipality's opinion, the garage cannot reasonably be sited at the prescribed distance due to the slope of the land unit or for other reasons provided.* (ii) *The height of such garage from the natural ground level to the top of the structure does not exceed 4,5 m.* (iii) *The front elevation of the garage may not be closer than 5,0m to the road kerb or surface.*

biru architects

biru architects (pty) ltd registration nr. 2019 / 145880 / 07 3 rowan lane cape town 7708 south africa
telephone +27 82 665 2545 website www.studiobiru.co.za
director. c. h. lundie



Due to the slope of the land and additional aligning factors such as accessibility, visual impact, environmental impact, precedence taken by neighbours as well the design complying with the regulations in maximum height and maximum distance of 5m from the road surface, we are requesting Town Planning to agree to our proposal of constructing the Garage within the street building line of Roella Road.

What we are proposing is in line with the best architectural practice and will preserve the natural features of the terrain to it's maximum effect. The spacial planning takes into account the client's brief, economic factors as well as construction techniques on a complicated, steep sloping terrain. We trust that you will find this motivation favourable.

Yours faithfully,

Casper Lundie

biru architects

biru architects (pty) ltd registration nr. 2019 / 145880 / 07 3 rowan lane cape town 7708 south africa
telephone +27 82 665 2545 website www.studiobiru.co.za
director. c. h. lundie

