

**Menslike Nedersettings, Beplanning en Ontwikkeling
Human Settlements, Planning and Development**

Collaborator No.: 3119724
Reference / Verwysing: Erf 8964, George
Date / Datum: 05 July 2024
Enquiries / Navrae: Primrose Nako

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JAN VROLIJK TOWN PLANNER
P O Box 710
GEORGE
6530

APPLICATION FOR DEPARTURE (BUILDING LINE RELAXATION): ERF 8964, GEORGE

Your application in the above regard refers.

The Senior Manager: Town / Spatial Planning (Authorised Official) has, under delegated authority, 4.17.1.24 of 30 June 2022 decided that the application for departure in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality, 2023 for the relaxation of the street boundary building line from 5m to 1,3m and 1.88 to accommodate an existing double shade net carport on Erf 8964, George:

BE APPROVED in terms of Section 60 of the said By-law for the following reasons:

REASONS:

- a. The legalisation of the existing carport will not have an adverse impact on the surrounding residential character or the streetscape.
- b. The carport forms part of residential development and can be accommodated within the property.
- c. There will be no negative impacts on surrounding neighbours' rights in terms of views or privacy.

Subject to the following conditions imposed in terms of Sections 66 of the said By-law, namely:

CONDITIONS OF THE DIRECTORATE: HUMAN SETTLEMENTS, PLANNING AND DEVELOPMENT:

1. That in terms of Section 18(2) of the Land Use Planning By-law for the George Municipality 2023, the approval shall lapse if not implemented within a period of five (2) years from the date it comes into operation.
2. This approval shall be taken to cover only the departure application as applied for and as indicated on the site layout plan, Plan no. 100 dated 11 April 2024, drawn by Tertius Conradie Argitektuur attached as "Annexure A" which bears Council's stamp and shall not be construed as to depart from any other Council requirements or legal provision.

3. A contravention levy of R5 094.53 (VAT Included) is payable on the submission of building plans for the unauthorized structure erected over the building line.
4. The above approval will be considered as implemented on the issuing of the occupation certificate in accordance with the approved building plans.

Note:

- A building plan must be submitted for approval in accordance with the National Building Regulations (NBR).
- Stormwater must be dispersed responsibly, and the stormwater management, retention and erosion measures must be addressed on the building plans.
- The contravention Levy was calculated as follows:
 - Encroachment= 20.26m²
 - Property value: $\frac{R2250000.00}{1029sqm} = R2\ 186,58/m^2$
 - Contravention = 10% x R2 186,58/m² x 20.26m² = R4 430.03
 - VAT @ 15% = R664.50
 - Total: **R5 094.53**

You have the right to appeal to the Appeal Authority against the decision of the Authorised Employee in terms of Section 79(2) of the Land Use Planning By-Law for George Municipality, 2023.

A detailed motivated appeal with reasons should be directed to the Appeal Authority and received by the Director: Human Settlements, Planning and Development, P O Box 19, George, 6530 or Directorate: Human Settlements, Planning and Development, 5th floor, Civic Centre, York Street, George **on or before 26 JULY 2024** and simultaneously submit a copy of the appeal on any person who commented, made representations or objected to the application in the above regard. Please also note that the appeal must be e-mailed to the administrative officer mentioned above.

An appeal that is not lodged within the applicable period mentioned above or that does not comply with Section 79 of the Land Use Planning By-Law for George Municipality, 2023, will be deemed invalid in terms of Section 80 of said By-Law.

Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

Please also note that in terms of Section 80(14) of the Land Use Planning By-Law for George Municipality, 2023, the above decision is suspended until such time as the period for lodging an/appeal(s) has lapsed, any appeal(s) has been finalised and you have been advised accordingly.

Yours faithfully


I. HUYSER
ACTING SENIOR MANAGER: TOWN PLANNING

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