

marlizeamdbplanning.co.za +27 766 340 150 | www.mdbplanning.co.za | PO Box 2359. George, 6530 PO Box 540. Mossel Bay 6500

## **PROPOSED SUBDIVISION & PERMANENT DEPARTURES**

FOR ESTATE LATE R.A. VERMEULEN

## ERF 16519 GEORGE, CNR OF AANDBLOM STREET & SMITH STREET, BERGSIG

GEORGE MUNICIPALITY & DIVISION



## **CONTENTS**

1. BA	CKGROUND INFORMATION	
1.2	Property Details	3
1.3	Application	3
<b>2. C</b> o	ONTEXTUAL INFORMANTS	4
2.1	LOCALITY	4
2.2	ZONING & LAND USE	4
2.3	CHARACTER OF THE PROPERTY & THE AREA	5
3. DE	VELOPMENT PROPOSAL	6
<b>4. C</b> o	INSIDERATION OF THE APPLICATION	9
4.1	STATUTORY INFORMANTS	9
4.1	L.1. SPATIAL PLANNING & LAND USE MANAGEMENT ACT, 2013 (SPLUMA)	9
4.1	L.2. WESTERN CAPE LAND USE PLANNING ACT, 2014 (LUPA)	11
4.1	L.3. GEORGE MUNICIPALITY: LAND USE PLANNING BY-LAW, 2023	11
4.1	L.4. GEORGE INTEGRATED ZONING SCHEME BY-LAW, 2023 (GIZS)	11
4.2	SPATIAL PLANNING INFORMANTS	12
4.2	2.1. GEORGE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (GMSDF) (2023)	12
4.3	NEED & DESIRABILITY	12
<b>5. C</b> o	NCLUDING	13

#### **Annexures**

- 1. Previous land use approval
- 2. POWER OF ATTORNEY
- 3. COPY OF TITLE DEED
- 4. COPY OF SURVEYOR-GENERAL DIAGRAM
- 5. CONVEYANCER'S CERTIFICATE
- 6. LOCALITY PLAN
- 7. SUBDIVISION PLAN
- 8. SITE PLAN, FLOOR PLANS & ELEVATIONS
- 9. HOME OCCUPATION: PARKING

#### Aerial images:

https://gis.elsenburg.com/apps/cfm/#

https://gis.george.gov.za/portal/apps/webappviewer/index.html?id=0283eccf869641e0a4362cb099290fca

https://www.google.com/earth/

#### Authors of this report:

M de Bruyn Professional Planner A/1477/2011 B. Art. et. Scien. Planning

D Janse van Rensburg Candidate Planner MSc. Urban and Regional Planning

C/9531/2021

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# PROPOSED SUBDIVISION & PERMANENT DEPARTURES ERF 16519 GEORGE, CNR OF AANDBLOM STREET & SMITH STREET, BERGSIG GEORGE MUNICIPALITY & DIVISION

#### 1. BACKGROUND INFORMATION

Erf 16519 George represents the consolidation of Erven 4627 and 4628 George, which were registered in 1992 and 1993, respectively followed by a building line departure approval in 2005 (see *Annexure 1*). The late owner, Mr. Roelf Vermeulen Sr, was an avid car collector, storing over 30 cars in the garage. In 2005, he obtained permission to build a seventh garage, along with the necessary building line relaxation, as documented in the attached land use approval. The specific details surrounding the establishment of the seven garages are unclear. Following Mr. Vermeulen Sr.'s passing, his Will stipulates that the property be subdivided again into two properties. The eastern portion will be inherited by his daughters, while the western portion will go to his son, Roelf Vermeulen Jr. Mr Vermeulen Jr. plans to retain 15 of his father's vintage cars and partially convert the existing garage into a residence with some extensions. The house is intended for his daughter, a biokineticist, who also plans to run her practice from home.

A subdivision, along with the necessary departures for a larger garage and building line relaxation/s, are required. *Marlize de Bruyn Planning* was appointed to address the land use requirements to comply with the provision of the Will as well as the changes to the existing outbuilding to in part become a dwelling house. The power of attorney is attached as *Annexure 2* to this report.

#### 1.2 PROPERTY DETAILS

The table below shows the property details for Erf 16519 George:

Property Description:	Erf 16519 George		
Physical Address:	Cnr of Aandblom Street & Smith Street, Bergsig, George		
Owner: Estated Late R.A Vermeulen			
Title Deed No:	T9158/93 ( <i>Annexure 3</i> )		
Size of the property:	2743m²		
Zoning of the property	Single Residential Zone I		
SG Diagram	SG 7141/92 ( <b>Annexure 4</b> )		

A Conveyancer's Certificate is attached hereto as *Annexure 5*. It confirms no restrictive conditions that limit this land use application. It also confirms that the bond for the property is being cancelled.

#### 1.3 APPLICATION

This land use application for Erf 16519 George entails the following:

- Subdivision of Erf 16519 George in terms of Section 15(2)(d) of the George Municipality: Land Use Planning By-law (2023) in the following portions:
  - o Portion A (±1391m²) (Single Residential Zone I Dwelling house);
  - o Remainder (±1352m²) (Single Residential Zone I Dwelling house).

Permanent departure in terms of Section 15(2)(b) of the George Municipality: Land Use Planning By-law (2023) for the relaxation of:

#### Portion A

- o western street building line from 5.0m to 4.5m for the change in use of the corner of the existing outbuilding to a bathroom.
- eastern side building line form 3.0m to 1.5m for the existing outbuilding of which a part is to become a dwelling house.

#### Remainder

- o western side building line form 3.0m to 2.0m and 0.0 for the existing dwelling house.
- Permanent departure in terms of Section 15(2)(b) of the George Municipality: Land Use Planning By-law (2023) for the following for Portion A:
  - o an increase in the garaging for vehicles from 6 to 10 (development parameter (g)(ii));
  - o an increase in the width of the vehicle carriageway crossing from 8.0m to 17.825m for the existing carriageway crossing.

#### 2. Contextual Informants

#### 2.1 LOCALITY

Erf 16519 George is located on the northern edge of the suburb, Bergsig on the corner of Aandblom Street and Smith Street, less than 100m from the Katriver to the north.

A locality plan is attached hereto as **Annexure 6**.

#### 2.2 ZONING & LAND USE

Erf 16519 George is currently zoned Single Residential Zone I (dwelling house) and used accordingly with a dwelling house thereon as well as a large outbuilding used for the storage of vintage vehicles. The zoning will not change following this application. The image below shows the zoning of the property and the area.



#### 2.3 CHARACTER OF THE PROPERTY & THE AREA

Erf 16519 George is a residential property with a primary residence on the eastern side with access from Aandblom Avenue, and a large garage/storage area on the west side with access from Smith Street. The late owner of the property consolidated the property more than 30 years ago. The garage accommodated a vintage car collection of more than 30 vehicles. In 2005 the owner obtained approval for the relaxation of the western street building line from 5.0m to 1.15m for the garage and for a 7<sup>th</sup> garage on the property.

From Smith Street, the property has a 5-door garage façade and from Aandblom Street there is another double garage for the primary dwelling house. Approved building plans are on record at the Municipality.



## 3. DEVELOPMENT PROPOSAL

The late owner (RA Vermeulen Sr.) had an extensive classic car collection of about 30+ cars that he stored on Erf 16519 George. The property, as it is, has approval for all the garages currently on the property which provides parking space for around 13 vehicles (considering the normal measurements of a single parking space).

REF: 564/G24

It is proposed to re-subdivide Erf 16519 George into two Single Residential Zone I (SRZI) properties in accordance with the Will of Mr. RA Vermeulen Sr. Following the subdivision, the eastern property (Remainder) will have a double garage, with no proposed land use changes, ensuring compliance with the zoning scheme for SRZI properties. Building line relaxations are included however to consider the position of existing structures and the proposed new property boundary. The exact boundary between the original Erven 4627 & 4628 George cannot be followed due to additions and alterations over the past more than 30 years. The property was surveyed to be certain of the position of the existing structures so that building lines can be determined accurately. The survey and proposed subdivision plan are attached to the report as *Annexure 7*.

The proposed dwelling house to be created from a section of the existing outbuilding on the western section (Portion A) is intended for Mr. RA Vermeulen Jr's daughter, a biokineticist, who plans to run her practice from home. Provisions for home occupation have been considered, including sufficient parking within the property boundaries and the limitation of  $60m^2$ . Three garages for their personal vehicles are needed while retaining the  $161m^2$  of the existing garage for the storage of 15 vintage cars, retained from the late Mr. Vermeulen's collection.

#### Subdivision

As shown in *Annexure 7*, it is proposed that Erf 16519 George (2743m²) be subdivided into two Single Residential Zone I (SRZI) properties: Portion A (1391m²) and the Remainder (1352m²). Both portions will have 5m street building lines and 3m side and rear building lines. This land use application includes the required building line relaxations to accommodate the position of existing structures in relation to the proposed new property boundary as well as the change in use of the existing outbuilding.

The new subdivision line, considering compliance with fire regulations, will not follow the original boundary exactly between the two properties. The professional land surveyor, Mr. Kobus Conradie conducted the necessary survey to determine the new subdivision line, considering the positions of the existing structures. The use of the house on the proposed Remainder will remain. The use of the structure on the proposed Portion A will change and certain permanent departures are needed as discussed in this report.

This subdivision essentially recreates what was prior to the mentioned consolidation. The subdivision pattern for Bergsig is also not negatively affected. The impact on the abutting streets also remains basically unchanged.

#### Permanent departure - Building lines

#### Portion A

For the western Portion A, the outbuilding will be converted into a dwelling house with internal changes and some additions. The proposed building plans is attached hereto as *Annexure 8*.

The western corner of the existing outbuilding is proposed to become a bathroom for the proposed home occupation. This corner of the structure is 4.5m from the western street building line and is therefore to be relaxed from 5.0m to accommodate the change in use.

At the same time, considering the new boundary to be created through subdivision, the new eastern side building line needs to be relaxed from 3.0m to 1.5m for the existing outbuilding of which a part is to become a dwelling house.

When the extensions were approved to the outbuilding in 2005, the street building line was relaxed to 1.15m. It was however constructed up to 1.585m from the western street boundary.

#### Remainder

The proposed Remainder accommodates the existing primary dwelling house. The new western building line to be created for this portion must be relaxed from 3.0m to 2.0m and 0.0 for the position of this existing dwelling house.

#### **Permanent departure - Garages**

Due to the subdivision and the change from the former Section 7 Zoning Scheme Regulations for George to the new era of zoning by-laws, this land use application includes a permanent departure for an increase in the number of garages for **Portion A**. Effectively, the space used for garaging will almost be halved. The existing outbuilding on the proposed Portion A will be remodeled into a dwelling house of approximately 235m² including three personal garages and a home occupation area (59m²). The remaining 161m² of the structure will remain to be used what remains of the original vintage car collection.

According to zoning by-law, six garages are permissible for a property greater than 1000m<sup>2</sup>. The family will use three garages for their personal vehicles, and the remaining space will accommodate the vintage car collection, which is equivalent to the size of seven garages.

The revamped property will feature a four-door garage façade and will provide space to store a total of 10 cars considering normal dimensions for a garage.

See Annexure 8 for the detail regarding garaging for Portion A.

#### Permanent departure - Carriageway crossing.

The proposed Portion A has an existing wide carriageway crossing facing Smith Street. It has been 17.825m wide from approximately 2005 when the outbuilding was expanded.

Considering the change from the Section 7 Zoning Scheme Regulations for George to the current zoning by-law as mentioned earlier, this land use application requests an increase in the width of the vehicle carriageway crossing from 8.0m to 17.825m for the existing carriageway crossing. The former Section 7 Zoning Scheme Regulations did not limit the width of carriage way crossings. This carriageway crossing will be more frequently used than when this outbuilding was only used to accommodate a vintage car collection. However, the carriageway crossing will now still accommodate what remains of the vintage car collection as well as the daily movement of a family to occupy the dwelling house to be created.

About 7.5m of this carriageway crossing will be in line with the garaging for the vintage car collection while the remaining 10.35m will be in line with the garaging for the proposed dwelling house and the gate north of the proposed bathroom providing access to parking as/when needed for the home occupation. This compares well with the maximum of 8m indicated in the zoning by-law for a dwelling house. 16 SRZI erven borders onto Smith Street of which only 10 obtain vehicular access from this property. 6 erven abutting Smith Street, that could have had 8m wide carriageway crossings, does not have vehicular access to this Street. It can therefore be stated that the proposed Portion A is taking an almost double width carriageway crossing of which one is from another property, which does not use its right to such a carriageway crossing. Smith Street does provide access from Stander Street to 6 short side streets, for properties located close to Smith Street. Writer is familiar with this street for more than 20 years and does not expect that the minor increase in use of this wider carriageway crossing will have a significant impact on vehicular movement in Smith Street.

See the images to follow supporting the foregoing paragraphs.



## . Consideration Of The Application

#### 4.1 STATUTORY INFORMANTS

The criteria for the consideration of land use applications as per the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SLPUMA), the Western Cape Land Use Planning Act, (Act 3 of 2014) (LUPA) and the George Municipality: By-law on Municipal Land Use Planning (2023) builds on each other. SLPUMA introduced legislative and procedural changes to the management of land use planning in South Africa. The Western Cape Province followed with LUPA and thereafter George Municipality with the Municipal Land Use Planning By-law (2023). What is relevant to this land use application is discussed in the paragraphs to follow.

REF: 564/G24

#### 4.1.1. Spatial Planning & Land Use Management Act, 2013 (SPLUMA)

Section 7 of this Act sets out the five development principles that are applicable to spatial planning, land development and land use management and section 42 of SPLUMA then refers to the factors that must be considered by a municipal tribunal when considering a land use planning application, which include but are not limited to:

- Five SPLUMA development principles;
- Public interest;
- Constitutional transformation;
- Respective rights and obligations of all those affected;
- State and impact of engineering services, social infrastructure and open space requirements;
- Compliance with environmental legislation.

The five development principles of SPLUMA, namely spatial justice, spatial sustainability, efficiency, spatial resilience, and good administration are not all directly relevant to this land use application. The land use application for Erf 16519 George supports the relevant development principles of SPLUMA.

#### 4.1.1.1. Five development principles

Spatial justice as described in Section 7(a) of SPLUMA is not relevant to this land use application.

<u>Spatial sustainability</u> as described in Section 7(b) of SPLUMA is not relevant as the natural environment will not be affected by this application.

- Prime and unique agricultural land is not affected by this land use application.
- Environmental matters are not relevant to this application.
- The effective and equitable functioning of land markets is not negatively affected by this land use application.
- All current and future costs to all parties for the provision of infrastructure and social services in land developments must be considered.
- Land development in locations that are sustainable and that limits urban sprawl, must be promoted. The
  proposed development is within/on the urban edge of George and contributes to this section of SPLUMA. An
  existing structure is repurposed to create a dwelling house within an established neighbourhood.

Efficiency as described in Section 7(c) of SPLUMA is supported. The efficient use of a property within the urban edge is proposed.

Spatial resilience as described in Section 7(d) of SPLUMA is not fully relevant to this land use application.

<u>Good Administration</u> as described in Section 7(e) of SPLUMA indicates the responsibilities of all involved in any land use matter.

REF: 564/G24

#### 4.1.1.2. Public Interest

No negative impacts are expected on surrounding properties as the proposed land use will be in line with the residential character of the area. An existing structure is to be re-used for residential purposes, the dominant land use in this neighbourhood. No new development is proposed on any common boundary sides of the property. The development to follow will be internal and to the existing structures on the street side with minor additions on the northern side.

The increase in number of garages and the building line relaxation required for the one garage to be revamped for a bathroom is on the street side of the property and cannot have any impact on neighbouring property owners as neither are habitable or inconvenient uses of the existing structures.

As discussed earlier in this report, the increase in width of the vehicle carriageway crossing from 8.0m to 17.825m for the existing carriageway crossing is requested through this land use application. It is almost double the normal width according to the current zoning scheme by-law and will be more frequently used that when this outbuilding was only used to accommodate a vintage car collection.

Considering the character of Smith Street as described in paragraph 3, the changes proposed for Portion A is not expected to have a significant impact on the area.

The streetscape from Aandblom Street will remain as it is. The streetscape from Smith Street will be improved as the façade of the house will have one less garage door and be upgraded to be more aesthetic and less monotonous.

#### 4.1.1.3. Municipal Engineering Services & Access

The property has access to municipal water, water-borne sewerage, solid waste removal and electricity. The municipal engineering services provided to the property will be used with limited expansion expected. It should be noted that Erf 16519 George was Erven 4627 & 4628 George.

The building plans attached hereto as **Annexure 8** shows the municipal main sewage line running diagonally deep underneath the existing outbuilding. This has been considered between the architect and the relevant official in the Directorate: Civil Engineering Services.

The width of the carriageway crossing for Portion A, facing Smith Street, is a consideration for the Directorate: Civil Engineering Services. This is discussed extensively in earlier paragraphs of this report.

#### 4.1.1.4. Environmental Considerations

The property has no natural features thereon, is within the urban edge, and already developed as a residential property. Thus, the proposed subdivision will not have any environmental impact.

#### 4.1.2. WESTERN CAPE LAND USE PLANNING ACT, 2014 (LUPA)

LUPA requires that local municipalities consider the following when deciding on land use applications:

- Applicable spatial development frameworks;
- Applicable structure plans;
- Land use planning principles referred to in Chapter VI (Section 59) which is an expansion of the five development principles of SPLUMA;
- Desirability of the proposed land use; and
- Guidelines that may be issued by the Provincial Minister regarding the desirability of proposed land use.

The applicable spatial development frameworks are discussed in Paragraph 4.2 of this motivation report. The land use planning principles expands on the five development principles of SPLUMA which is discussed in foregoing paragraphs and desirability of the proposed land use is addressed in Paragraph 4.3 to follow.

Section 19(1) and (2) of LUPA refers to **consistency** and **compliance** of a land use proposal regarding spatial development frameworks or structure plans. Considering the aim of this land use application for Erf 16519 George, no conflict was found with the George Municipal Spatial Development Framework (GMSDF) – see Paragraph 4.2.1.

#### 4.1.3. GEORGE MUNICIPALITY: LAND USE PLANNING BY-LAW, 2023

The general criteria for the consideration of applications in terms of this By-law are included in Section 65 which, inter alia, includes:

- Desirability of the proposed utilisation of land;
- Impact of the proposed land development on municipal engineering services;
- Integrated development plan, including the municipal spatial development framework, the applicable local spatial development framework and/or local structure plans;
- Relevant municipal policies;
- Western Cape Provincial Spatial Development Framework;
- Section 42 of SPLUMA (public interest, constitutionality);
- Land use planning principles transposed from LUPA; and
- Provisions of the applicable zoning scheme.

The above is addressed elsewhere in this motivation report as relevant.

#### 4.1.4. GEORGE INTEGRATED ZONING SCHEME BY-LAW, 2023 (GIZS)

Erf 16519 George is zoned Single Residential Zone I (dwelling house). It is proposed to subdivide it to create 2 residential properties. Each property will have a 5m street building lines and 3m side building lines. No new structures are proposed on either property except for the existing structure on Portion A which will undergo slight changes in land use to practically create a dwelling house and the vehicle storage garages as described in this report. See especially paragraph 3.

The garages are all existing. The current zoning by-law does however only allow a maximum of 6 garages per SRZI property. a permanent departure is required to allow 10 garages for the proposed Portion A. It should be noted that the '10' garages are not proposed as a 10-door garage façade. The 10 garages will have a 4-door garage façade, which is reasonable and not uncommon for a residential erf.

REF: 564/G24

A building relaxation is also required for an existing garage which use will be changed to a bathroom for the dwelling house. The relaxations for the existing structures on Portion A and the Remainder considering the proposed new property boundary, are discussed extensively in especially paragraph 3 of this report.

The width of the carriageway crossing is also addressed in paragraph 3 and 4.1.1.3.

It is important to provide some detail in this report regarding the proposed home occupation. Home occupation (biokineticist) is a primary land use right for this Portion A to remain zoned Single Residential Zone I. The intensity of use will still be low as the one resident of the dwelling house will operate this home occupation. This use of the proposed dwelling house will comply with the provisions of the zoning by-law relating to home occupation. The  $59m^2$  of the dwelling house to be used for this purpose, requires three parking bays of which one will be one of the three garages. See the site plan indicating parking attached hereto as *Annexure 9*.

#### 4.2 Spatial Planning Informants

#### 4.2.1. GEORGE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (GMSDF) (2023)

Erf 16519 George is not addressed specifically in the GMSDF. It is in a single residential neighborhood within the George urban edge. No watercourse / stream, indigenous vegetation, or other environmental features are found on Erf 16519 George.

This land use application will contribute to appropriate residential densification within the urban edge. This report shows that no negative impact pertaining to the GMSDF was found.

#### 4.3 NEED & DESIRABILITY

Need and desirability is the balancing of various factors.

**Need** depends on the nature of a development proposal and is based on the principle of sustainability. This motivation report has shown that the proposed subdivision of Erf 16519 George can have a positive impact on the character of the area and will provide one more residential opportunity within the Bergsig neighbourhood. It will also fulfil the prospective property owners' needs to utilise their portion of the property according to their needs, in this case, Portion A for a residential erf where they can store their late father's vintage car collection. The provisions of the Will of later Mr. RA Vermeulen Sr are most importantly to be complied with.

**Desirability** from a planning perspective is defined as the degree of acceptability of a proposed development on a property. The relevant factors include the physical characteristics of the property, existing planning in the area, character of the area, the locality and accessibility of the property as well as the provision of services. Another important consideration is the economic or financial impact which is only positive in this instance.

#### Physical characteristics of the properties

The physical characteristics of Erf 16519 George do not create conflict for the proposed subdivision. The proposed subdivision line is similar to the former erven that was consolidated to create the subject property.

#### Existing planning in the area

As indicated earlier in this motivation report, this land use application is not in conflict with the George Municipal Spatial Development Framework (GMSDF). The general principles of the GMSDF is complied with such as optimising development opportunities within the urban edge.

#### Character of the area

As discussed earlier in this motivation report, the proposed subdivision of Erf 16519 George will not impact negatively on the character of the area.

#### Provision of services

Existing municipal engineering services will be expanded if necessary.

#### **Economic impact**

This proposed development of Erf 16519 George will create new ratepayers for the Municipality and create a new residential opportunity within the George city area.

#### Direct impact on surrounding properties

No neighbour will be overshadowed or overlooked especially considering that no new structures are proposed and that the land uses that require departments are non-habitable uses (bathroom & garage) and cannot impact on neighbouring properties.

It is our view that the need and desirability of the proposal for Erf 16519 George, showed no negative impacts.

#### 5. CONCLUDING

From this report, it is our opinion that the proposed subdivision and related permanent departures for Erf 16519 George (Portion A & Remainder) as described in the foregoing paragraphs is consistent with all relevant considerations as prescribed by the planning legislation. It does not create conflict with the overall spatial objectives for the area. The proposed subdivision and related departures are considered sensible, reasonable, practical and not in conflict with the direct urban environment.

MARLIZE DE BRUYN Pr. Pln

September 2024

## **LOCALITY PLAN**









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**ERF 16519** C/O SMITH STREET & AANDBLOM STREET, BERGSIG

**GEORGE MUNICIPALITY & DIVISION** 

For scale refer to figured dimensions. Measurements always to be checked by Professional Land Surveyor.





MUNISIPALITEIT Wes Kaap

UMASIPALA WASE Intshona - Koloni MUNICIPALITY Western Cape

Posbus / P.O. Box 19 George 6530 Tel: 044 8019111 Fax: 044 8733776 E-mail: stadsbeptanning@george.org.za

Erf 16519, GEORGE

NAVRAE: ENQUIRIES:

J Visser

VERW./REF.

· TEL:

801 9171

7 June 2005

**Registered Mail** 

RA Vermeulen PO Box 486 GEORGE 6530

## **APPLICATION FOR DEPARTURE: ERF 16519, GEORGE**

Council's previous letter dated 13 May 2005 refers.

To date no appeal was received on your application. The **final approval** for the following is hereby granted:

- (a) The departure from the street building line (Smith Street) from 5m to 1,150m in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15/1985).
- (b) The departure for the erection of a seventh garage on the abovementioned Erf in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15/1985).

Notwithstanding Council's decision you have the right of appeal against the conditions of approval in terms of Section 44 of Ordinance 15/1985, which right must be exercised within 21 days from date of registration of this letter. The appeal must be directed to The Director: Land Development Planning, Private Bag X9086, Cape Town, 8000, with a copy endorsed to the George Municipality within the aforementioned time.

Yours faithfully

CM AFRICA

DIRECTOR: PLANNING AND DEVELOPMENT

G;Michelle\Gina\Briewe\erf16519Geo(a).doc





MUNISIPALITEIT

UMASIPALA WASE Intshona - Koloni MUNICIPALITY Western Cape

Posbus/PO. Box 19 George 6530 Tel: 044 8019111 Fax: 044 8733776 E-mail: stadsbeplanning@george.org.za

Erf 16519, GEORGE

NAVRAE: ENOUIRIES:

J Visser

VERW./REF.

· TEL:

801 9171

13 May 2005

RA Vermeulen PO Box 486 GEORGE 6530 **Registered Mail** 

## **APPLICATION FOR DEPARTURE: ERF 16519, GEORGE**

Abovementioned application refers.

During the Housing and Land Affairs Committee meeting held on 19 April 2005 the following was decided:

- (a) That the application for departure from the street building line (Smith Street) from 5m to 1,150m **be approved** in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15/1985).
- (b) That the application for a departure for the erection of a seventh garage on the abovementioned erf **be approved** in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15/1985)..

It is important to note that an objection against the approval of the application have been received and that the objector to your application have in terms of Section 44 of Ordinance 15/1985, a right of appeal against this approval, which right should be exercised within 21 days of registration of this letter.

A copy of this letter has been forwarded to the objector.

The approval may therefor not be implemented until the 21-day period has lapsed, at which stage a further letter will be addressed to yourself with regard to your application.

Yours faithfully

CM AFRICA

DIRECTOR: PLANNING AND DEVELOPMENT

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3/6/2000

## **Power of Attorney**

I, Maryke Landman (7002150012085), the authorised appointee of the Estate Late RA Vermeulen, the registered owner of Erf 16519 George Municipality & Division hereby resolves to authorise Marlize de Bruyn and Denise Janse van Rensburg from Marlize de Bruyn Planning to submit the required land use application for the property in terms of Section 15(2) of the George Municipality: Land Use Planning By-law for the property.

M Landman

Date <u>04/09/20</u>24

Witness

Date 04/09/2024





## **EKSEKUTEURSBRIEF** LETTERS OF EXECUTORSHIP

(Artikel 13 en 14 van die Boedelwet, No 66 van 1965) (Section 13 and 14 of the Administration of Estates Act, No 66 of 1965)

Estate No:	002218/2024	

#### HIERBY WORD GESERTIFISEER dat THIS IS TO CERTIFY that

MARYKE LANDMAN - 7002150012085 (ID) - AS NOMINEE OF: RAUCH GERTENBACH INCORPORATED

behoorlik aangestel is as has/have been duly appointed

#### **EKSEKUTEUR/EKSEKUTRISE EXECUTOR/EXECUTRIX**

en as sodanig gemagtig is om die Boedel van wyle and is/are hereby authorised as such to liquidate and distribute the Estate of the late

## **ROELOF ANDRIES VERMEULEN**

and surviving spouse

WENDA VERMEULEN - 4007200020080 (ID)

I CERTIFY THAT THIS DOCUMENT IS A TRUE CONTROL OF THE ORIGINAL WALLES	No: 
THE ORIGINAL WHICH WAS EXAMINED BY ME AND THAT, FROM MY OBSERVATIONS, THE ORIGINAL TOPS NOT BEEN STEED IN ANY SENTENDED MODICE!	on: 18 DECEMBER 2023
ALEIDA EUGENTE KRAAMWINKEL	

oorlede is, te beredder en verdeel.

APPROVED BY: ETIENNE LOUW

Designation: Practising Attorney (RSA)

LACHE HOUSE, 120 York Street, George, Western Cape

Asst. Meester van die Hooggeregshof : CAPE TOWN

Aandag word gevestig op die bepalings van artikel 102. Attention is directed to the provisions of section 102.

MASTER OF THE HIGH COURT CAPE TOWN PRIVATE BAG X9018 2024-02-07 CAPE TOWN 8001 (C) MEESTER VAN DIE HOOGGEREGSHOF CAPE TOWN

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT URN: 8992024EST002218

Opgestel deur my
TRANSPORTBESORGER
BREDELL P J F

ARTIKEL 40 WET 47 VAN 1937 SECTION ACT 47 OF 1937

VERBIND MORTGAGED

B 4567 -1970

VIR FOR R 10 795 -00

BC 9489 93

REGISTRATEUR/REGISTRAR

T 9158193

VIR ENDOSSEMENTE KYK BLADSY 5 1 1 2

## SERTIFIKAAT VAN VERENIGDE TITEL

(Uitgereik kragtens die bepalings van ARTIKEL VEERTIG van die Registrasie van Aktes Wet, 1937 (Nr. 47 van 1937).

#### NADEMAAL

ROELOF ANDRIES VERMEULEN Identiteitsnommer 361024 5014 00 9 GETROUD BINNE GEMEENSKAP VAN GOEDERE MET VENDA VERMEULEN

aansoek gedoen het om die uitreiking aan hom van 'n Sertifikaat van Verenigde Titel kragtens die bepalings van ARTIKEL VEERTIG van die Registrasie van Aktes Wet 1937, en

#### NADEMAAL hy die geregistreerde elenaar is van:

- (a) ERF 4527 GEORGE, in die Munisipaliteit en Afdeling van GEORGE;
   GEHOU kragtens Transportakte No. T 8166/1972;
   en
- (b) ERF 4628 GEORGE, in die Munisipaliteit en Afdeling van GEORGE; GEHOU kragtens Transportakte No. T 5746/1970.

wat verenig is tot die grond hieronder beskryf.

SO IS DIT DAT ingevolge die bepalings van genoemde Wet, ek, die Registrateur van Aktes te Kaapstad, hierby sertifiseer dat voornoemde:

ROELOF ANDRIES VERMEULEN
Identiteitsnommer 361024 5014 00 9
en
VENDA VERMEULEN
Identiteitsnommer 400720 0020 00 7
GETROUD BINNE GEMEENSKAP VAN GOEDERE MET MEKAAR

hul erfgename, eksekuteurs, administrateurs of regverkrygendes die geregistreerde eienaar is van:

ERF 16519 GEORGE, in die Munisipaliteit en Administratiewe Distrik van GEORGE;

GROOT: 2743 (TWEEDUISEND SEWEHONDERD DRIE EN VEERTIG) vierkante meter;

SOOS SAL BLYK UIT AANGEHEGTE KAART L.G. No. 7141/92.

- I. WAT betref die figuur AFGDE op aangehegte Kaart L.G. No. 7141/92:
  - A. <u>ONDERHEWIG</u> aan die voorwaardes waarna verwys word in Transportakte No. 2639, gedateer 19 Mei 1893.



- B. ONDERHEWIG VERDER aan die volgende spesiale voorwaardes opgelê deur die Administrateur van die Provinsie die Kaap die Goeie Hoop ingevolge Wet No. 33/1934, vervat in genoemde Transportakte No. 6731/1970, ten tye van die goedkeuring van George Dorpsuitbreiding No. 22, naamlik:-
- (i). Die eienaar van hierdie erf is verplig om sonder betaling van vergoeding, toe te laat dat elektrisiteits- kabels of -drade en hoof-en/of ander waterpype en die rioolvuil en dreinering, insluitende stormwater van enige ander erf of erwe, binne of buite hierdie dorp, oor hierdie erf gevoer word indien dit deur die plaaslike owerheid nodig geag word, en wel op die wyse en plek wat van tyd tot tyd redelikerwys vereis word. Dit sluit die reg op toegang te alle redelike tye tot die eiendom in met die doel om enige werke met betrekking tot bogenoemde aan te lê, te wysig, te verwyder of te inspekteer.
  - (ii). Die elenaar van hierdie erf is verplig om sonder vergoeding op die erf die materiaal te ontvang of uitgrawings op die erf toe te laat al na vereis word, sodat die volle breedte van die straat gebruik kan word en die wal veilig en behoorlik skuins gemaak kan word weens die verskil tussen die hoogte van die straat soos finaal aangelê en die erf tensy hy verkies om steunmure te bou tot genoeë van en binne 'n tydperk wat die plaaslike owerheid bepaal.
  - (iii). Hierdie erf mag alleenlik gebruik word vir sulke doeleindes wat deur die dorpsaanlegskema van die plaaslike owerheid toegelaat word en onderworpe aan die voorwaardes en beperkings wat in die skema bepaal word.

1



- II. WAT betref die figuur FBCG op aangehegte Kaart L.G. No. 7141/92:
  - A. <u>ONDERHEWIG</u> aan die voorwaardes waarna verwys word in Transportakte No. 2639, gedateer 19 Mei 1893;
  - B. ONDERHEWIG VERDER, soos vervat in Transportakte No. T 5746/1970, aan die volgende spesiale voorwaardes opgele deur die Administrateur van die Provinsie die Kaap die Goeie Hoop in terme van Ordonnansie No. 33 van 1934, by die goedkeuring van George Dorpsuitbreiding No. 22, welke voorwaardes volledig na verwys word onder komponent I B (i), (ii) en (iii) hierbo.

EN DAT kragtens hierdie Sertifikaat, genoemde

#### **ROELOF ANDRIES VERMEULEN**

Identiteitsnommer 361024 5014 00 9

er

#### **YENDA VERMEULEN**

Identitietsnommer 400720 0020 00 7
GETROUD BINNE GEMEENSKAP VAN GOEDERE MET MEKAAR

hul erfgename, eksekuteurs, administrateurs of regverkrygendes, nou en voortaan daartoe geregtig is ooreenkomstig plaaslike gebruik, maar behoudens die Regte van die Staat.

IN GETUIENIS WAARVAN ek, die genoemde Registrateur van Aktes hierdie Akte onderteken en met die ampseël bekragtig het.

ALDUS gedoen en geteken op die kantoor van die Registrateur van Aktes te KAAPSTAD op hede die 17e dag van 1993.

Registrateur van Aktes

ARTIKEL	WET 47 VERBIND	VAN 1937	SECTION MORT	ACT 47 OF 1927
٠,	В	190	<u> 258 - 1979</u>	
	VIR FOR FR		471,00	
BC	9490	9多	no.	
	17 02	93	an fathermanning and	UNREGISTRAM

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1.

iE						
	SYE Meter	RIGTINGS -HOEKE	Υ	KOÖRDINATE Stelsel	Alles plus Lo 23º X	L.G. Nr.
AB BC CD DE EA	62,66 44,08 56,13 39,39 7,90	288 30 00 18 30 00 108 30 00 181 53 50 235 12 00				7141/92 Goedgekeur  Mover  mms.Landmeter-generaal
Bak	enbeskrvwi.	ng				

Alle bakens

457 mm x 12 mm ysterpen

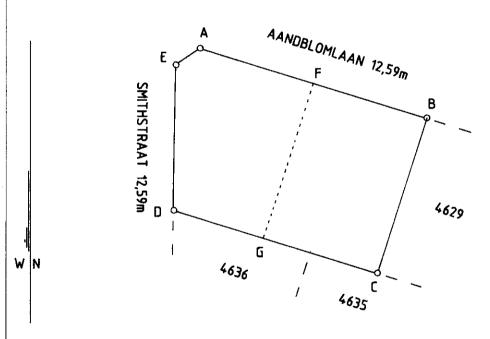
Die figuur AFGDE wat Erf 4627, George voorstel in George Uitbreiding Nr. 22

Algemene Plan TP Nr. 7997

2. Die figuur F B C G wat Erf 4628, George voorstel in George Uitbreiding Nr. 22-

Algemene Plan TP Nr 7997

Tpt. Nr.



Skaal: 1:1 000

Die figuur

ABCDE

stel voor

2 743 vierkante meter

grond, synde

1

Erf 16519, George en bevat 1. en 2. hierbo Dorp George Uitbreiding No. 22 in die Munisipaliteit en

Administratiewe Distrik

Saamgestel <del>Opgemeet</del> in

George

Julie 1992

Provinsie Kaap die Goeie Hoop

deur my,

O.J.A. Goosen

Landmeter

Hierdie kaart is geheg aan

Die oorspronklike kaart is soos hierbo aangehaal Nr. gohog aan Leer Nr. S/8775/86/1

Nr. 9158/93

M.S. Nr. Saamgestel

gedateer

Transport/Grondbrief

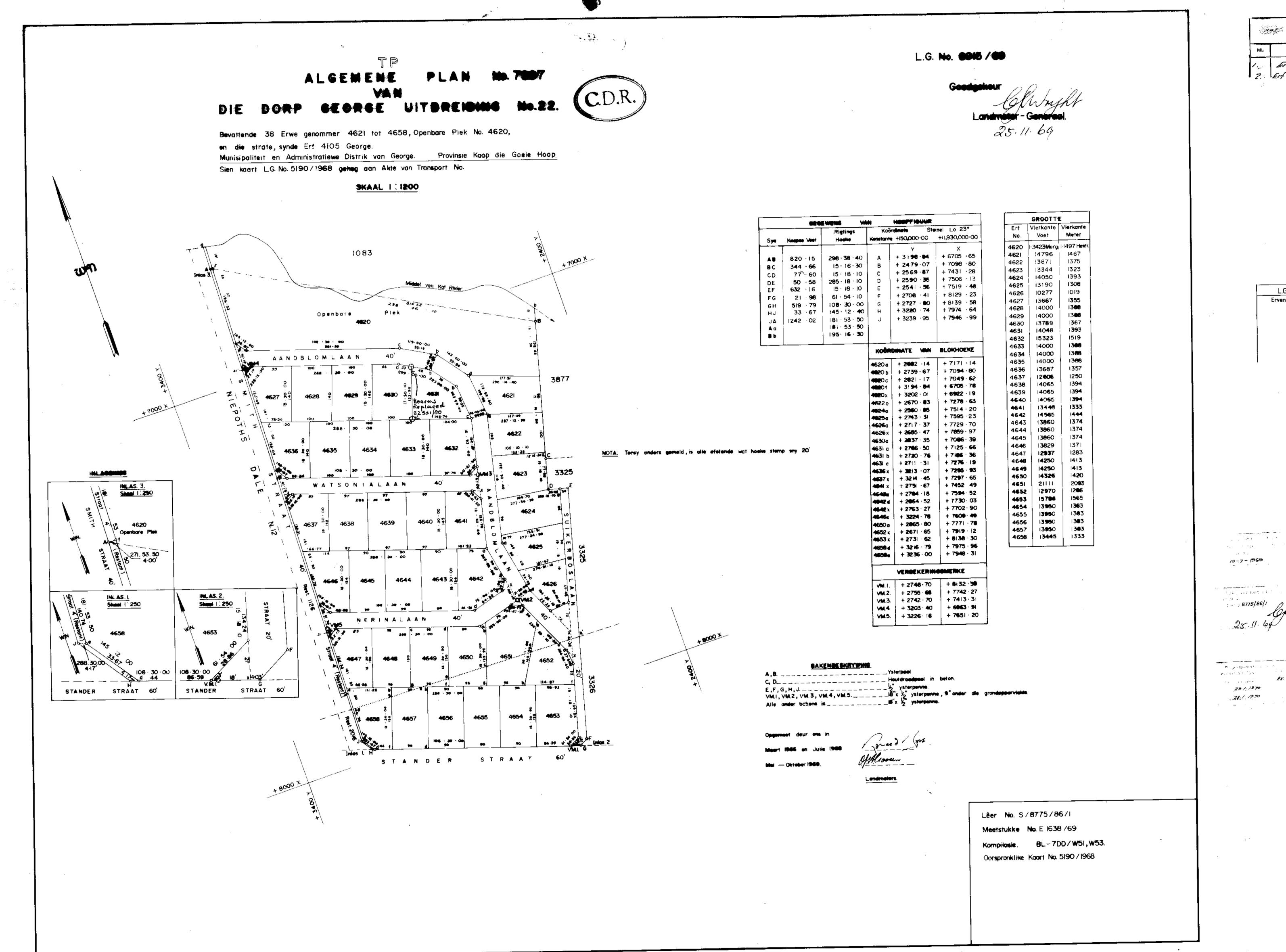
Komp. BL-7DD/W51 (1747)

t.g.v.

Nr.

Algemene Plan TP Nr. 7997

Registrateur van Aktes



+ 4

ENDOSSEMENTE — ENDORSEMENTS.

KRACHERI AM 30 VAN WET NO. 9 VAN 19. I. S HARRIE PLAN GEL IS A CO VOLCH—

IN TERMS OF AGE NO. 90 OF AGE NO. 90 1927 TO 1924 HAS BEEN AMENDED AT FOLLOWS:—

NO. WYSIGHO.

AMENDMENT.

BY YOUR BAR.

ANTHON IN.

ANTHON IN.

BY YOUR BAR.

ANTHON IN.

BY A LG 21 NOW I PROVINCE AND BY DOWN 308 12.14

2. Eff 4623 consolidated MAL 21583C MALE E-1 8637 D. 79817

L.G KANTOORNOTAS / S.G. OFFICE NOTES

Erven 4627 and 4628 included in consol vide Dgm 7141/92 Erf 16519

**m** 7997

## **CONVEYANCER CERTIFICATE**

#### IN TERMS OF SECTION 15(2)(b) and 15(2)(f) OF THE

#### **GEORGE MUNICIPALITY: LAND USE PLANNING BY-LAW**

ΑI	PP	LI	CA	T	10	N	D	ET	ΆΙ	LS	:
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Date	of Application:	September 2024
Date	OI ADDIICALIOII.	Jeniciinei 2022

- **Subdivision** of Erf 16519 George in terms of Section 15(2)(d) of the George Municipality: Land Use Planning By-law (2023) in the following portions:
  - Portion A (±1391m²) (Single Residential Zone I Dwelling house);
  - Remainder (±1352m²) (Single Residential Zone I Dwelling house).
- Permanent departure in terms of Section 15(2)(b) of the George Municipality: Land Use Planning By-law (2023) for the relaxation of the following building lines:

#### Portion A

- western street building line from 5.0m to 4.5m for the change in use of the corner of the existing outbuilding.
- eastern side building line form 3.0m to 1.5m for the existing outbuilding of which a part is to become a dwelling house.

#### Remainder

- western side building line form 3.0m to 2.0m and 0.0 for the existing house
- Permanent departure in terms of Section 15(2)(b) of the George Municipality: Land Use Planning By-law (2023) for the following for Portion A:
  - o an increase in the garaging for vehicles from 6 to 10 (development parameter (g)(ii));
  - o an increase in the width of the vehicle carriageway crossing from 8.0m to 17.825m for the existing carriageway crossing.

I, the undersigned

#### **MARYKE LANDMAN**

a duly qualified and admitted Conveyancer, practicing at:

RAUCH GERTENBACH GEORGE INC, 120 York Street, George

[Firm name and Address],

do hereby certify as follows:

1. I have perused the following Title Deed/s and conducted a search behind the pivot (T9158/1993) of the said title deed/s at the Deeds Office, Cape Town:



## T9158/1993 [Current Title Deed]

In respect of:

ERF 16519 GEORGE, IN THE MUNICIPALITY AND DIVISION OF GEORGE, WESTERN CAPE PROVINCE IN EXTENT 2743 (TWO THOUSAND SEVEN HUNDRED AND FOURTY THREE) SQUARE METERS HELD BY CERTIFICATE OF CONSOLIDATED TITLE NUMBER T9158/1993

REGISTERED in the name of

The Estate of the Late ROELOF ANDRIES VERMEULEN Identity Number: 361024 5014 009

**Estate Number: 5049/2022** 

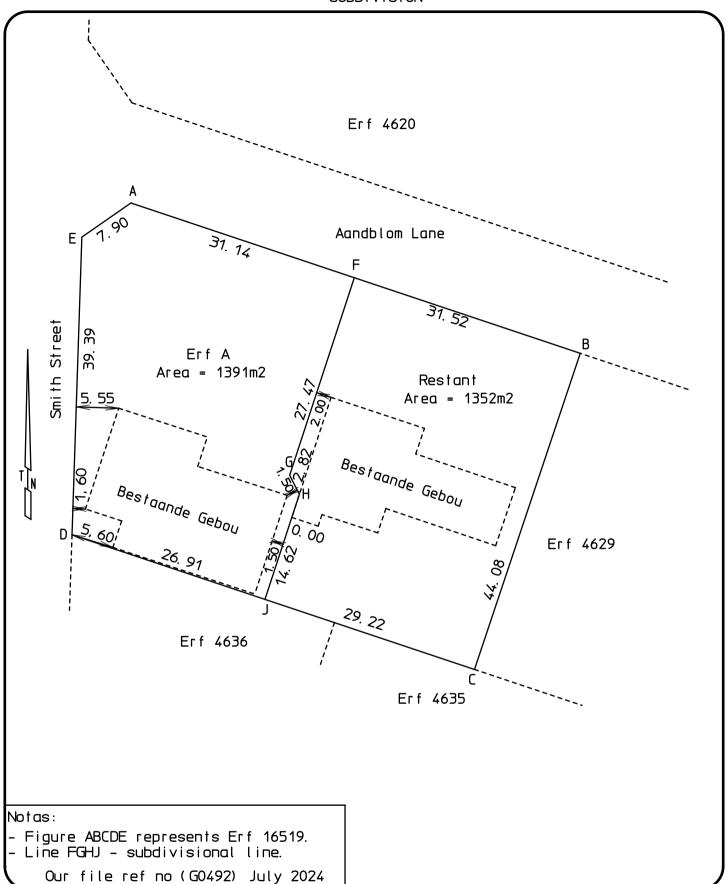
And

WENDA VERMEULEN Identity Number: 400720 0020 007

- 2. I have appraised myself with the details of the abovementioned Land Development Application.
- 3. The abovementioned Title Deed/s contains no conditions restricting the contemplated Land Uses in terms of the abovementioned Land Development Application, save for a mortgage bond in favour of ABSA Bank, the cancellation of which we are attending to.

SIGNED at GEORGE on this \_ / September 2024

**CONVEYANCER** 



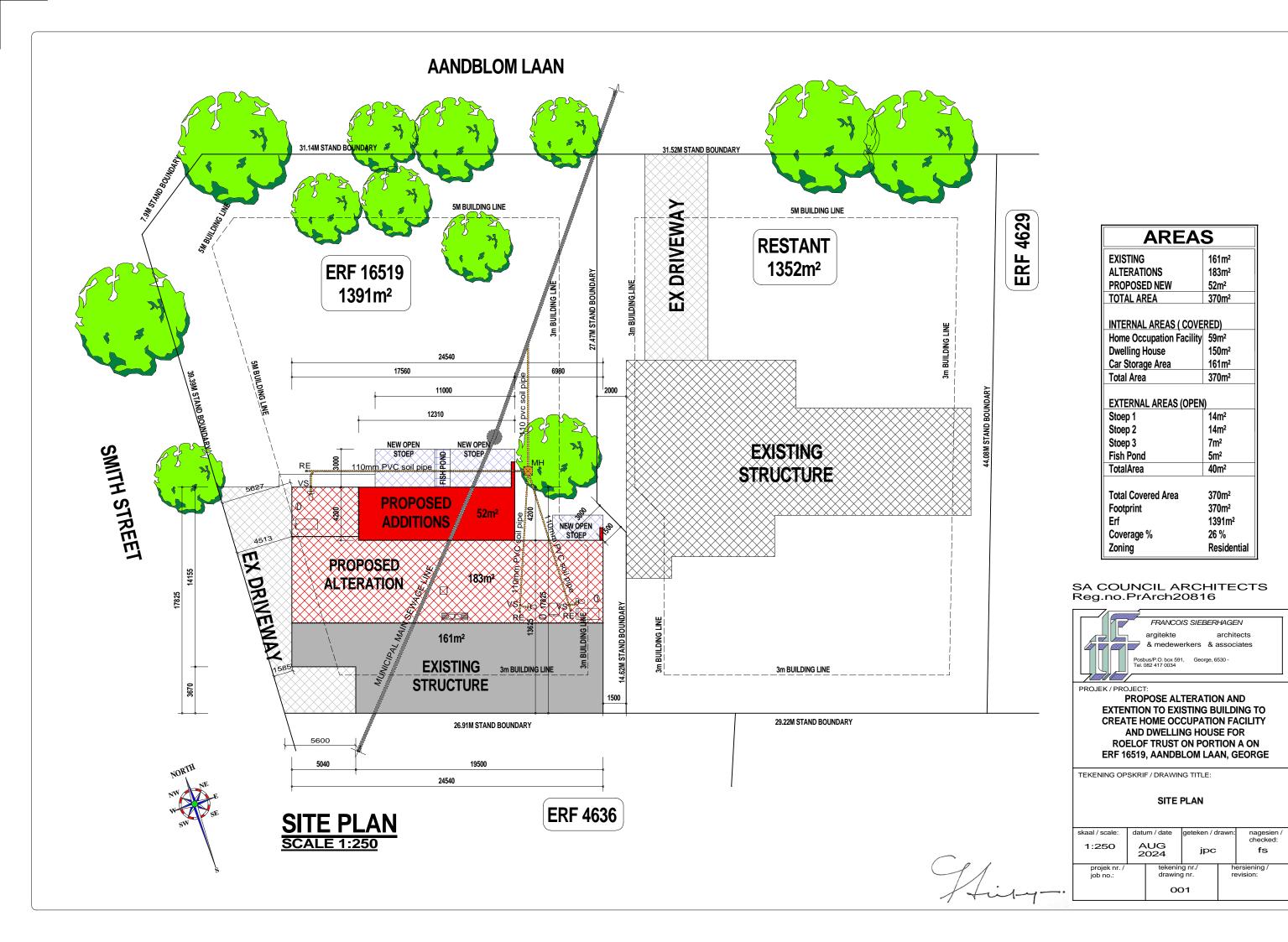
PPROPOSED SUBDIVISION OF ERF 16519

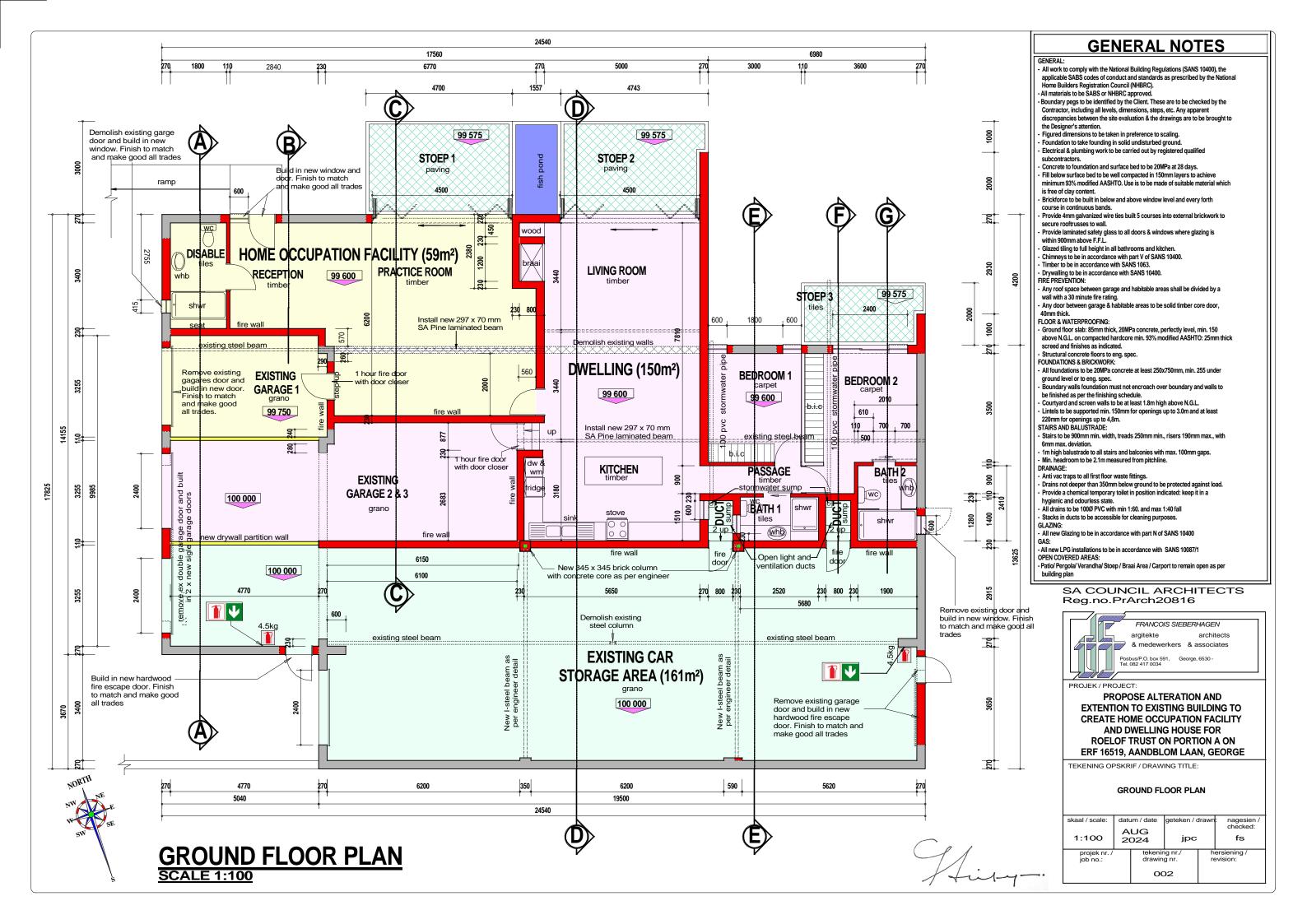
GEORGE

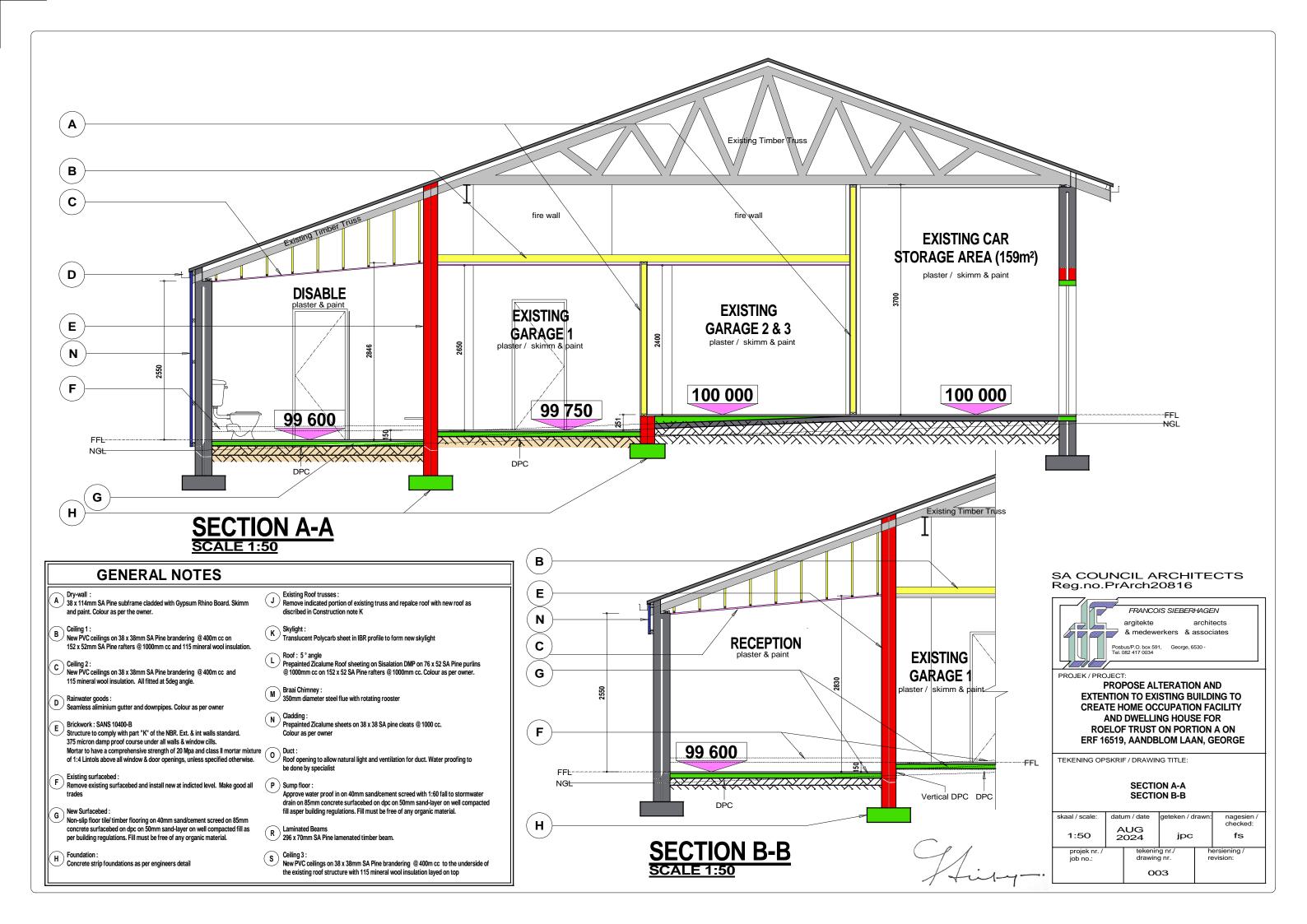
(MUNICIPALITY AND ADMIN. DISTRICT GEORGE)

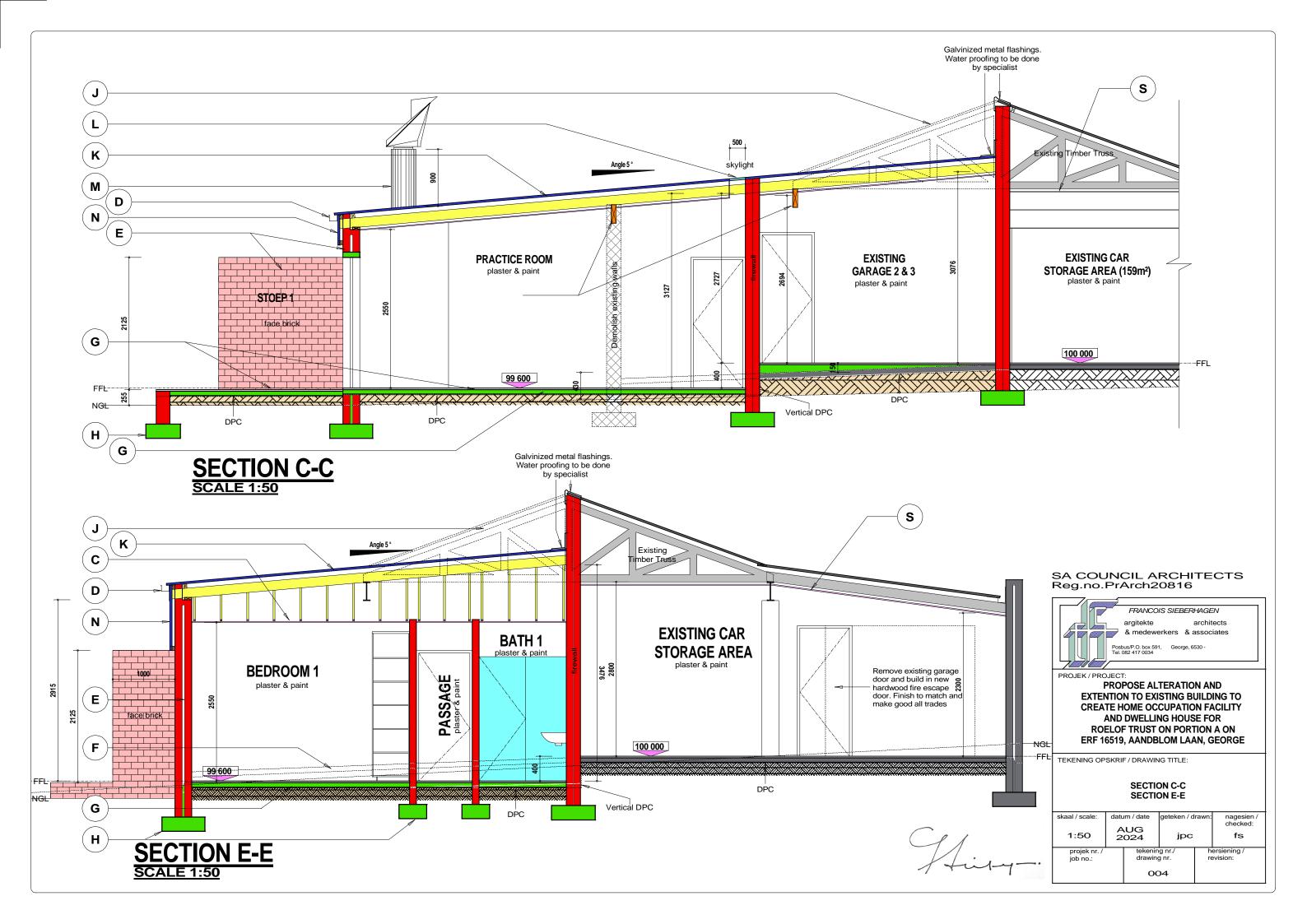
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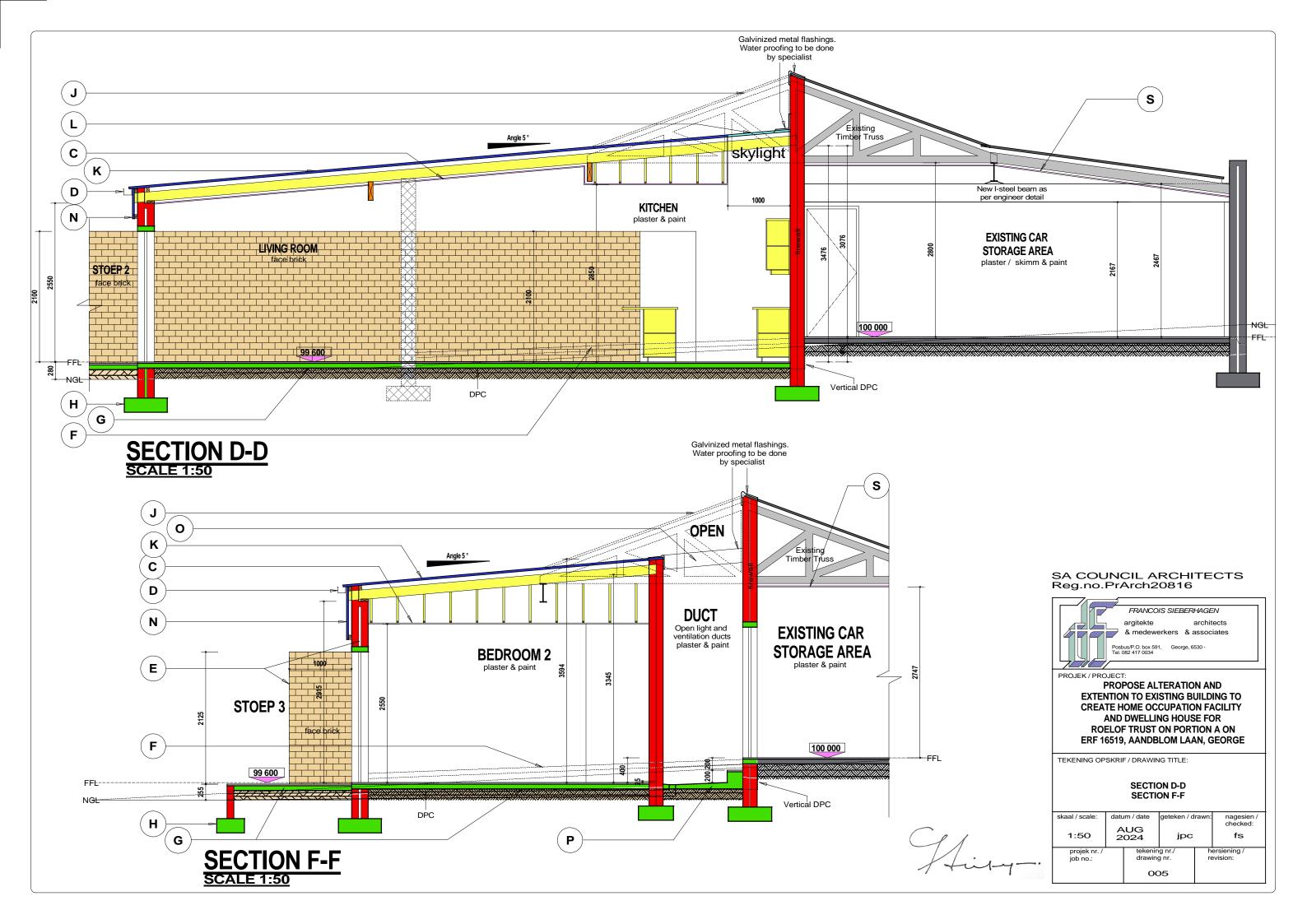


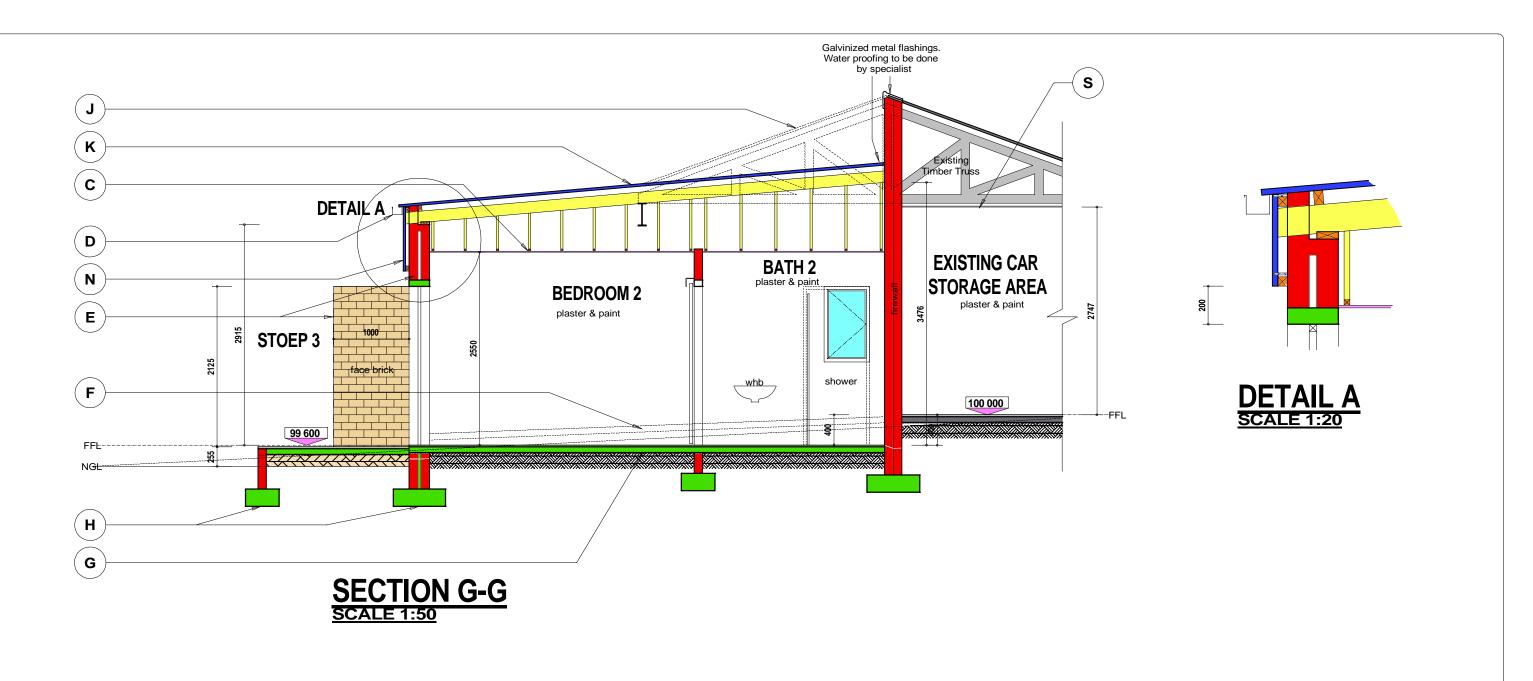


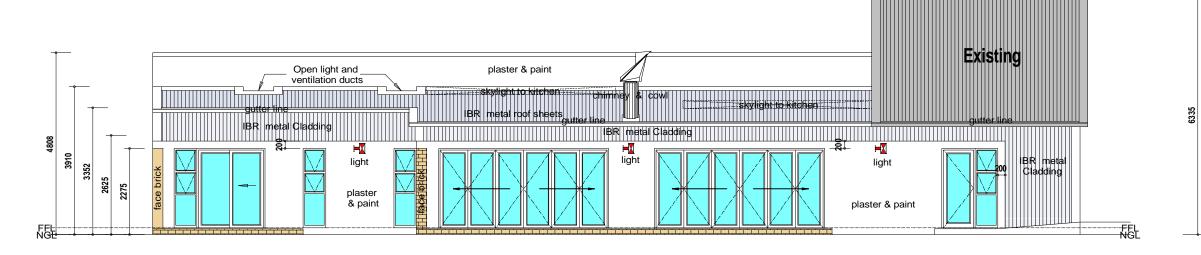












NORTH ELEVATION SCALE 1:100

#### SA COUNCIL ARCHITECTS Reg.no.PrArch20816

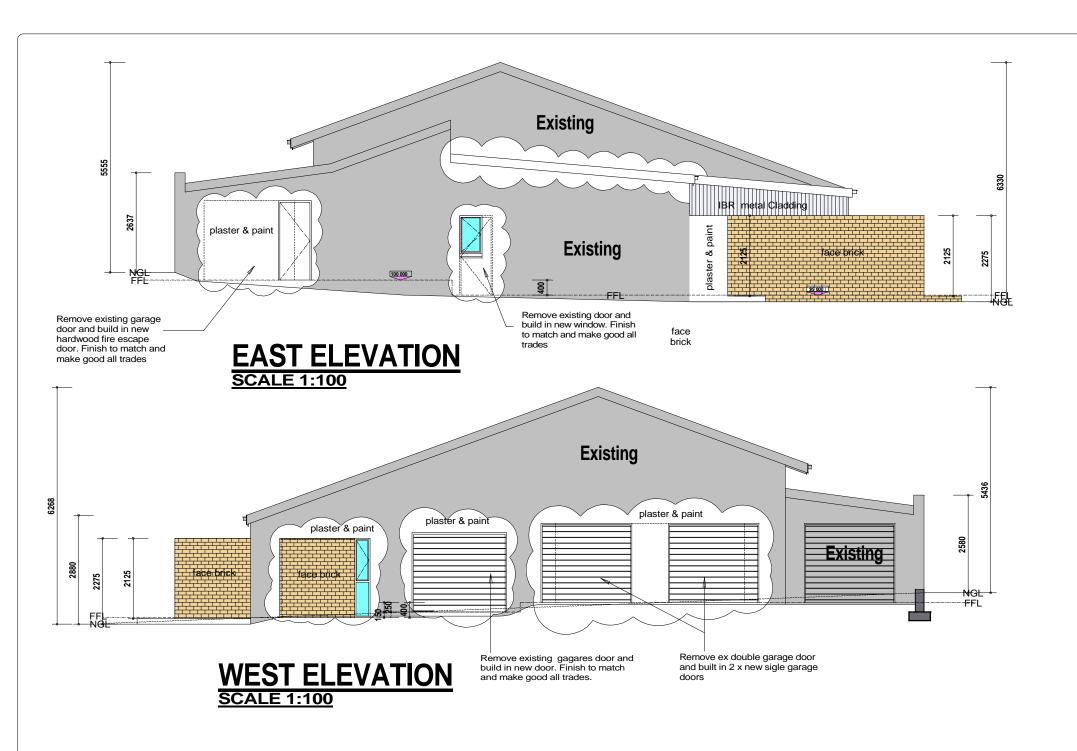


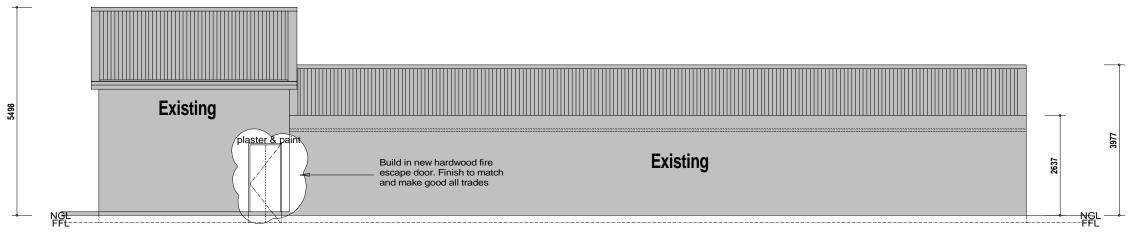
**EXTENTION TO EXISTING BUILDING TO CREATE HOME OCCUPATION FACILITY** AND DWELLING HOUSE FOR **ROELOF TRUST ON PORTION A ON** ERF 16519, AANDBLOM LAAN, GEORGE

TEKENING OPSKRIF / DRAWING TITLE:

**NORTH ELEVATION** SECTION G-G

			DETA			
ı	skaal / scale:	datu	ım / date	geteken / d	rawn:	
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	1:50	AUG 2024				fs
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	job no.:		drawing	g nr. re		evision:
			oc	06		





**SOUTH ELEVATION SCALE 1:100** 

#### SA COUNCIL ARCHITECTS Reg.no.PrArch20816

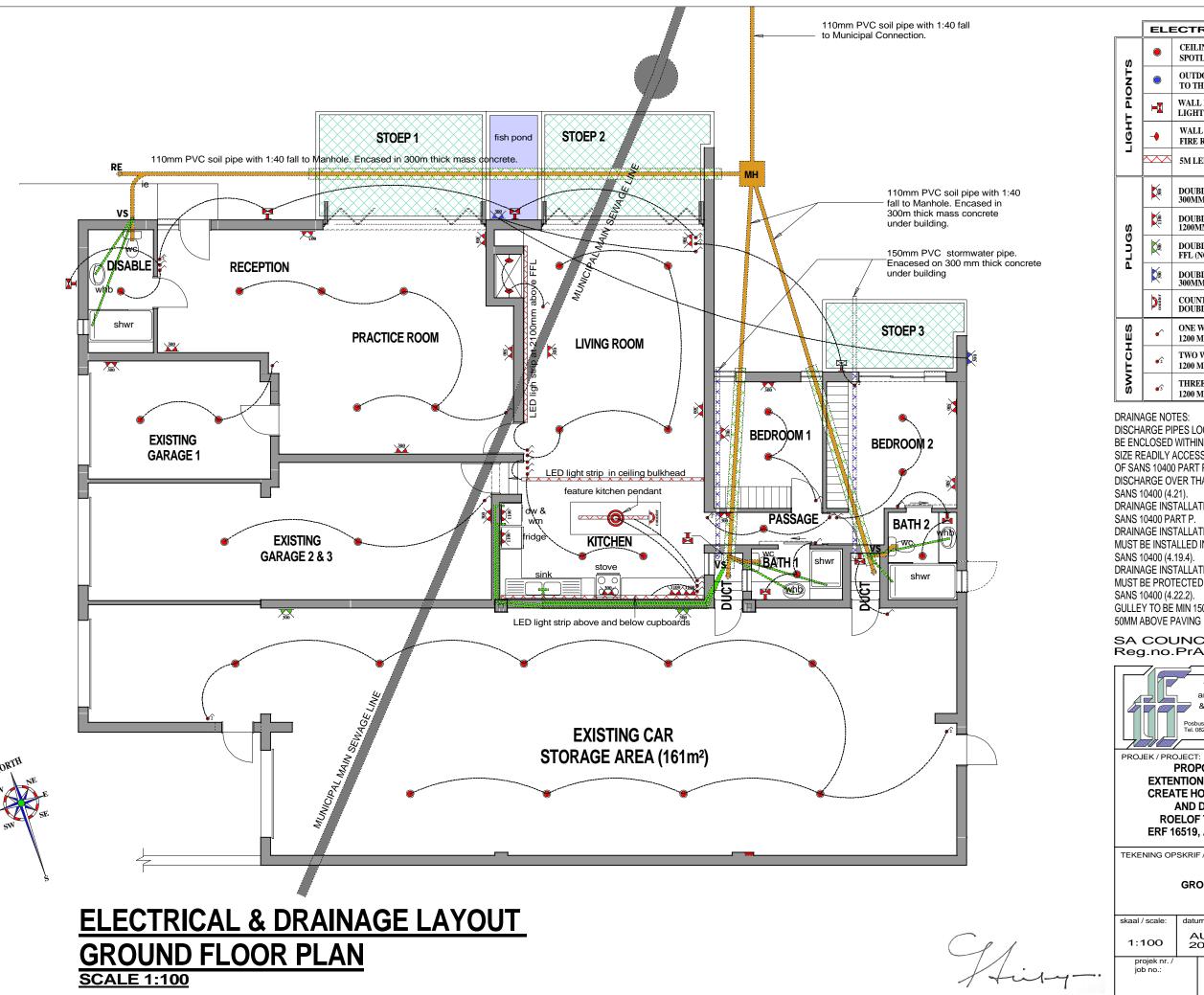


PROPOSE ALTERATION AND **EXTENTION TO EXISTING BUILDING TO CREATE HOME OCCUPATION FACILITY** AND DWELLING HOUSE FOR **ROELOF TRUST ON PORTION A ON** ERF 16519, AANDBLOM LAAN, GEORGE

TEKENING OPSKRIF / DRAWING TITLE:

**SOUTH ELEVATION EAST ELEVATION WEST ELEVATION** 

skaal / scale:		ım / date	geteken / d	lrawn:	nagesien / checked:	
1:100	AUG 2024		jpc		fs	
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		oc	07			



**ELECTRICAL LEGEND** CEILING MOUNTED RECESSED SPOTLIGHT OUTDOOR SPOTLIGHT ATTACHED TO THE PERGOLA WALL MOUNTED WATERPROOF LIGHT PIONT 2100MM ABOVE FFL WALL BRAAI LIGHT FIRE RESISTANT 5M LED STRIP LIGHT DOUBLE 15AMP PLUG, 300MM ABOVE FFL DOUBLE 15AMP PLUG, 1200MM ABOVE FFL DOUBLE 15AMP PLUG, 300MM ABOVE FFL (NOT WALL MOUNTED) DOUBLE 15AMP PLUG, 300MM ABOVE FFL COUNTER POP UP PLUG UNIT DOUBLE 15AMP PLUG, ONE WAY SWITCH 1200 MM ABOVE FFL TWO WAY SWITCH 1200 MM ABOVE FFL THREE WAY SWITCH 1200 MM ABOVE FFL

DISCHARGE PIPES LOCATED WITHIN A BUILDING TO BE ENCLOSED WITHIN A DUCT AND TO BE SHAPE AND SIZE READILY ACCESSED FOR CLEANING IN TERMS OF SANS 10400 PART P, 4.18

DISCHARGE OVER THAT GULLY AS PER PART P OF SANS 10400 (4.21).

DRAINAGE INSTALLATION TO COMPLY WITH SANS 10400 PART P.

DRAINAGE INSTALLATIONS UNDER BUILDING WORK MUST BE INSTALLED IN TERMS OF PART P OF

DRAINAGE INSTALLATIONS UNDER BUILDING WORK MUST BE PROTECTED IN TERMS OF PART P OF

GULLEY TO BE MIN 150MM ABOVE GROUND AND

#### SA COUNCIL ARCHITECTS Reg.no.PrArch20816



PROPOSE ALTERATION AND **EXTENTION TO EXISTING BUILDING TO CREATE HOME OCCUPATION FACILITY** AND DWELLING HOUSE FOR **ROELOF TRUST ON PORTION A ON** ERF 16519, AANDBLOM LAAN, GEORGE

TEKENING OPSKRIF / DRAWING TITLE:

### **GROUND FLOOR PLAN**

skaal / scale:	datum / date		geteken / drawn:		nagesien / checked:
1:100	AUG 2024		jpc		fs
projek nr. / job no.:		tekenin drawing OC	g nr.		ersiening / evision:

