

MUNICIPALITEIT
Wes Kaap

UMASIPALA WASE
Intshona - Koloni

MUNICIPALITY
Western Cape

Posbus / P.O.Box 19 George 6530 Tel: 044 - 8019111 Fax: 044 - 8733776

Dear Landowner

BUILDING LINE RELAXATION: DEPARTURE IN TERMS OF SECTION 15 OF THE LAND USE PLANNING ORDINANCE, 1985 (ORDINANCE 15 OF 1985)

The building plan you submitted for approval in terms of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) does not adhere to the building lines as determined by the zoning of your property. Therefore an application for departure (relaxation of the building line) must be submitted to the town planning section of this Municipality. It will then be processed in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985).

For this application, the town planning section requires a completed application form which is attached hereto. If this departure application requires any other land use approval or removal of restrictive title deed condition(s), the town planning section will not be able to process this departure application in isolation. All approvals must be in place before the town planning section can finalize your building plan application. You are also not exempt from any other applicable legislation.

After receiving the application as described above, the town planning section will send registered notices to affected property owners. The time period for the submission of motivated objections, if any, to the town planning section is 30 days from the registration of the notice. You will have opportunity to reply to any objection received. If no objection(s) is received, the town planning section will evaluate the merits of your application without delay and provide the building control section with our recommendation.

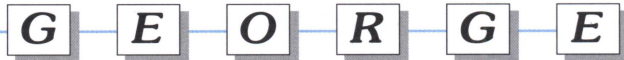
After receiving an objection(s) the application for the relaxation of the building line together with your reply to the objection(s) will be tabled to the Housing and Land Affairs Committee for a decision. The decision of the Committee is then submitted to the Executive Mayor-in-Committee for confirmation. Then the town planning section can communicate the decision and the building plan can be processed further. If a building line relaxation is refused you will receive a right to appeal against the decision as determined by Section 44 of the Ordinance. If a building line relaxation is approved, the objector(s) will also receive a right to appeal against the decision. With the receipt of an appeal, the building plan cannot be processed further until the appeal is finalized. The time period for the submission of an appeal is 21 days from when the decision was communicated to the applicant/objector. The appeal authority is the Provincial Government: Western Cape and no indication of the time period to finalize the appeal is available.

If you have further questions, you are welcome to contact one of the town planners for an appointment:

George
Wilderness and rural area
Town Planning Reception

Thys Calitz (044 – 801 9182)
Amour Stoffels (044 – 801 9436)
044 – 801 9477

Thank you for your co-operation in this regard.



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GUIDELINES FOR THE SUBMISSION OF LAND USE APPLICATIONS:

DEPARTURES WITH REGARDS TO BUILDING PLANS (BUILDING LINE RELAXATION)

Please note that the regulations promulgated in terms of section 47(1) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) requires that all information furnished shall be correct and sufficient to make consideration of the application possible.

If this application for a departure requires any other land use approval or removal of restrictive title deed condition(s), the town planning section will not be able to process your departure application in isolation. All approvals must be obtained before the town planning section can complete your building plan application. You are also not exempt from any other legal requirements.

THE FOLLOWING DOCUMENTS MUST ACCOMPANY THIS APPLICATION:

1. Surveyor-General Erf Diagram
2. Copy of title deed and/or a Conveyancer's Certificate (if applicable)
3. Mortgagee's (Bank) Consent (if applicable)
4. Power of Attorney (if the applicant is not the registered owner)
5. Locality Plan (A4)
6. Site Development Plan (A4 or A3 size with contours, if necessary)
7. Complete motivation report as per the minimum guidelines prescribed hereunder:
 - If the proposal is in accordance with the existing planning and the surrounding land uses of the area.
 - The influence of the proposal on the surrounding area.
 - The impact of the proposal in terms of heritage conservation.
 - The impact of the proposal on trees on the property and in the road reserve.
 - The influence of the proposal on the traffic and/or parking of the area.
 - The influence of the proposal on surrounding facilities such as schools, open spaces and other community facilities if the application leads to an increase in the residents of the area.
 - The influence of the proposal on the existing character of the area and the rights of residents with regards to property values, privacy, view, sunlight, etc.
 - The provision of services.
8. Certified 1:50 year flood-line certificate (if necessary)
9. Confirmation that an application in terms of the National Heritage Resources Act, 1999 or the National Environmental Management Act, 1998 is not required. (if requested)

Further enquiries can be forwarded to:

The Town Planning Section: George Municipality

P.O. Box 19, George, 6530

Tel: 044-8019477 / Fax: 044-801 9432 / E-mail: stadsbeplanning@george.org.za



G E O R G E

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**APPLICATION FOR CHANGE IN LAND USE IN TERMS OF THE
LAND USE PLANNING ORDINANCE, 1985 (ORD 15 OF 1985)**

**DEPARTURE IN TERMS OF SECTION 15 OF THE ORDINANCE
(BUILDING LINE RELAXATION)**

1. PERSONAL DETAILS OF THE APPLICANT

1.1 Name of person / firm to which correspondence should be addressed:

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Address:.....

.....Postal Code:.....

Dialing Code and Telephone no:.....Fax no:

Cellphone no:E-mail:

1.2 Is the applicant also the registered owner of the property concerned?

Yes.....No.....

If not, attach power of attorney form the registered owner(s) to the application. This is also applicable if the person who is applying is still in the process of obtaining the land unit and if the land unit is owned by a company or if it is owned by more than one person.

1.3 Name(s) of registered owner(s):.....

.....

1.4 Is the property encumbered with a bond? Yes.....No.....

If so, attach the authorisation of the bond holder to the application?

2. DETAILS OF THE LAND UNIT

Registered description of the property as shown on the title deed?.....

Street address (in applicable):.....

Town/Area:Property size:

Current use and improvements:

Current zoning:

3. **DETAILS OF THE APPLICATION**

3.1 Nature of the application

3.1.1 Height

With a building line relaxation, the height of the proposed structure is also of importance.

The height of a garage/outbuilding is limited to 3m for a property zoned Single Residential Zone. Where a garage/outbuilding is higher than 3m (measured from the finished floor level to the highest point of the roof) the departure application must also include the higher height of the garage/outbuilding. When a departure for a higher height for a garage is included, it must also be addressed in the motivation (3.1.2 below).

For other zonings the applicant must study the relevant zoning scheme to determine whether departure from the height restrictions will be applicable.

The height of the proposed structure applicable to the building line relaxation requested is as follows:

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3.1.2 Motivation

Describe the building line relaxation for which the application is being submitted or attach a printed motivation report.

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3.1.3 Other Restrictions

Describe any other restrictions on the property that should be taken into account before the application can be finalised, e.g. title deed restrictions, environmental or heritage restrictions, building lines applicable to provincial and national roads, municipal services and registered servitudes.

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I, the undersigned, certify that the information appearing in this section of the form and the information in the annexure is correct and complete, and that I understand the application.

FULL NAME.....

SIGNATURE.....

DATE.....