



Enquiries

Adél Stander

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File ref: 18/3038/PB

18 December 2023

Scott Partners+

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Dear Madam

**PROPOSED BUILDING LINE DEPARTURES, ERF 3038, JACK CASE STREET,
PLETTENBERG BAY, BITOU MUNICIPALITY**

The Acting Manager: Land Use Management made the following decision on 14 December 2023:

- a. Departure for existing street building line from 4.5m to 1.9m to accommodate a new double garage and store room.
- b. Existing side boundary departure from 3m to 2m (bordering on Erf 3037) to accommodate covered terrace on existing first floor.

The above is subject to the following conditions in terms of Section 66 of the Bitou Land Use Planning Bylaw:

1. That the approval applies only to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from council;
2. That plans be submitted to comply with the Plettenberg Bay Zoning Scheme. These plans must be submitted within 90 days of the confirmation of this decision.

REASONS FOR THE DECISION ARE AS FOLLOWS:

- The proposed building departures will have no impact on the rights enjoyed by other property owners.
- The proposed building departures are permitted in the Bitou Zoning Scheme Bylaw, 2023.
- The only objection received is not affected by the departure applications.
- The application to reduce the lateral side building line to 1,139m is not considered since a non-habitable building with no windows and doors are permitted on the 0m building line, and should it have a door or any openings, it is permitted up to 1m from the boundary in the Plettenberg Bay Zoning Scheme (Extension 17).

Appeals

- a) You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.
- b) Such an appeal must be submitted in writing to the Municipal Manager, Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600 or electronically to the case officer (astander@plett.gov.za), by 15 January 2024.

- c) The appeal form must be completed and should be directed to the Municipal Manager, Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600, within 21 days of date of e-mailed notification of this decision together with proof of payment of the appeal fee.
- d) If you exercise your right to appeal, you are requested to simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine. Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.
- e) Should the appeal the decision, a notice must be served in accordance with section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality. The notice must invite persons to comment on the appeal within 21 days from the date of the notice.
- f) Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
- g) A notification in terms of Section 61 of the Bitou Municipality Land Use Bylaw (2015) will confirm the coming into operation of the approval if no appeals were received by the applicant or a member of the public by 15 January 2024.



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Chris Schliemann

Manager: Land Use Management