



Enquiries

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File ref: 18/1544/PB

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Beacon Survey

PER E-MAIL: beaconsurvey@mweb.co.za

Dear Sir

PROPOSED REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, AND DEPARTURES, ERF 1544, ROTHERSANDS AVENUE, PLETTENBERG BAY, BITOU MUNICIPALITY

The Acting Director: Planning & Development approved the following on 2 August 2024, in terms of Delegated Authority from Council, and in terms of Section 60 of the Land Use Planning Bylaw, 2015:

That approval be granted in terms of Section 60 of the Bitou Municipality Land Use Planning Bylaw (2015) for:

1. The removal of the restrictive condition E(4)(d) that prescribes inter alia 4.72m street, 3.15m rear, and 1.57m lateral building lines.
2. Permanent departures from the development parameters of the zoning scheme for the relaxation of the following building lines in accordance with the Site Development Plan P1544SDP-1 for:
 - 2.1 Relaxation of the eastern lateral building line from 1.5m to 0.64m in order to regularise a portion of the dwelling house;
 - 2.2 Relaxation of the western lateral building line from 3m to 2.38m in order to regularise a portion of the dwelling house; and
 - 2.3 Relaxation of the street building line from 4.5m to 4.21m in order to regularise a portion of the shed.

Conditions in terms of Section 66 of the Bitou Municipality: Land Use Planning Bylaw (2015)

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. There are municipal services running in close proximity of the property. If any municipal services are damaged / need to be re-routed during alteration, the applicant will be responsible for the re-routing and costs thereof in accordance with the municipal standards.

REASONS FOR DECISION:

- The Removal of Restrictive Title Conditions will have no impact on the rights enjoyed by other property owners.
- No objections were received from the adjoining property owners. One letter of support was received from the adjoining property owner.
- No new extensions are proposed. The application merely formalizes current contraventions of the Zoning Scheme and Title Deed Restrictions.

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 (cschliemann@plett.gov.za), within 21 days of date of e-mail/ publication of this letter.
- 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) The 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 date e-mailed notification of this letter.
- 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 within 21 days of registration of this letter.



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Chris Schliemann
Manager: Land Use Management