PROPOSED REZONING: ERF 1273 & ERF 1274, ROBBERG ROAD, PLETtenberg BAY, BITOU MUNICIPALITY

The Director: Economic Development and Planning made the following decision under delegated authority:

That approval be granted in terms of Section 60 of the Bitou By-law on Municipal Land Use Planning 2015 for:

That the following be approved in terms of Section 60 of the Bitou Land Use Planning Bylaw (2015):

1. The consolidation of Erf 1273 & Erf 1274.
2. The rezoning of the consolidated erven from Single Residential Zone to Business Zone.
3. Permanent Departure from the provisions of the zoning scheme to allow an access point wider than 6m in width and closer than 5m to a splayed corner along the eastern boundary of consolidated erven Erf 1273 & Erf 1274.
4. The removal of restrictive conditions of title in respect of Erven 1273 & 1274 that prevent “the erection of flat, lean-to or monopitch roofs” (conditions F.2 and E.2 respectively).

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

1. That the development broadly takes place in accordance with the Site Development Plan 18/G25, Revision 01/0, dated 15/01/19, and Sections and Elevations Plan 18/6 25 – 02/0 dated 15 January 2019.
2. That no more than 400m² of the proposed building be used for ‘Business’ (as opposed to storage) purposes.
3. That the Lundy Drive road edge adjacent to erf 1273 and 1274 be provided with a barrier kerb.
4. The sidewalk must be paved to prevent being used for stopping or delivery.
5. A boundary wall must be erected between the parking and the sidewalk.
6. A “no stopping” red line must be marked from the corner of Erf 1277 to Robberg Road.
7. Only single unit trucks may be permitted on the proposed development.
8. That municipal services be provided at the cost of the applicant to the satisfaction of the Municipality, and that a Services Agreement (if required) based on the provisional Services Report (as well as any other requirements of the Municipality), and that the payment of augmentation levies and capital contributions in accordance with the policy of the Municipality be stipulated in the Services Agreement (inclusive of performance of payment);
9. That a boundary wall 1,8m high be erected along the boundary with Erf 1275.

**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), within 21 days of date of e-mail of this letter.

c. The attached 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.


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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Obo D FRIEDMAN
DIRECTOR: ECONOMIC DEVELOPMENT & PLANNING