PROPOSED BUILDING LINE DEPARTURE ERF 2518, PLETTENBERG BAY, BITOU MUNICIPALITY.

The Manager: Land use management made the following decision under delegated authority on 13 April 2021. That **approval be granted** in terms of Section 60 of the Bitou By-law on Municipal Land Use Planning 2015 for:

a) Eastern lateral building line departure from 1.5m to 0m to permit a carport.
b) Street (Rugby Drive) lateral building line departure from 4.5m to 0m to permit a carport.

**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. That formal building plans must be submitted to the Council, in terms of Section 4 of the National Building Regulations and Building Standard Act (Act No. 103 of 1977 as amended)
3. If any Municipal services are found to traverse the affected portion of the property, the services will have to be relocated at the cost of the applicant to the satisfaction of the Municipality.

**Engineering Services**

4. Water & Sanitation; It should be noted that there is existing 160mm sewer mainline routed in the Rugby drive reserve which is 1m away from the boundary line of Erf 2518. It should also be noted that as per Bitou By-laws that reinstatement of any driveways will be for owner’s account if municipal workers need to access pipes underneath any drives in the road reserves. The existing sewer line underneath the Carport foundation will need to be encased.
5. Storm Water; Compliance to BITOU MUNICIPALITY, STORM WATER MANAGEMENT BY-LAWS, clause 7(2) (g)(i) the owners shall retain Storm water originating from his or her property on such Property and shall be discharge in subsoil drain on site.

Reasons for decision

1. No additional municipal services will be required.
2. The existing structure design on the site necessitate a departure.
3. No impact on the surrounding properties existing land use rights.

Appeals

1. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.
2. Such an appeal must be submitted in writing to the Municipal Manager, Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600, within 21 days of this emailed letter.
3. 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 notification of this decision together with proof of payment of the appeal fee.
4. 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.
5. 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 of notification of the appeal.
7. 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 this emailed letter.

Chris Schlicmann
Manager: Land Use Management