

Reference number: Erf 6293, George

Date: 30/10/2020

Enquiries: Marisa Arries

*Marisa Arries*  
30/10/2020

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**APPLICATION FOR DEPARTURE: ERF 6293, PIGMY AVENUE,  
GEORGE**

Your application in the above regard refers.

The Deputy Director: Planning (Authorised Official) has, under delegated authority, W.1.33 of 29 July 2015 decided that the following applications, applicable to Erf 6293, George:

1. That it be noted that the following applications for Departure in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality, 2015 applicable to Erf 6293, George:
  - (a.) Relaxation of the eastern side boundary building line from 2m to 0m to regularise the illegal conversion the existing garage into a granny flat has been with withdrawn by the applicant;
  - (b.) Allow the width of both carriage way crossing to be 6m in lieu of allowable maximum width of 4m is not required as a combined access may be up to 8m wide and thus the application is not required;
2. That, notwithstanding the objection received, the following applications for Departure in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality, 2015 applicable to Erf 6293, George:
  - (a.) Relaxation of the southern street building line from 4.0m to 0.8m to allow for the existing shade port;
  - (b.) To position the shade port 3.8m instead of 5m from the street kerb as specified in (e)(iii) of the development parameters of a dwelling houses;
  - (c.) To allow for two carriage-way crossings which is less than 12m apart;

**BE APPROVED** in terms of Section 60 of said By-law for the following reasons:

## REASONS FOR DECISION

- (i). The objection submitted is not relevant to the applications being approved;
- (ii). The proposal poses no negative impact on the streetscape and does not contribute to any effect regarding surrounding neighbours' rights and amenity in terms of privacy, views or sunlight;
- (iii). The structure complements the existing dwelling house, and is in keeping with the existing residential character;
- (iv). The existing two accesses will not have any impact on the local traffic;

Subject to the following conditions imposed in terms of Sections 66 of the said By-law:

## DIRECTORATE: PLANNING AND DEVELOPMENT

- 1) That in terms of the Land Use Planning By-law for the George Municipality, 2015, the Departure approval shall lapse if not acted upon within a period of five (5) years from the date thereof;
- 2) This approval shall be taken to cover only the application applied for as indicated on the Site Development Plan (ref. 801-03) dated 07/08/2018 drawn by JDS Design Studio attached as "Annexure A" (*Annexure "D" to the report*) which bears Council's stamp and shall not be construed as to depart from any other council requirements or legal provision;
- 3) A building plan be submitted for approval in accordance with the National Building Regulations (NBR) for all illegal structures and conversion of the illegal second dwelling unit back into a garage;
- 4) The application will only be regarded as implemented on issuing of an occupation certificate for the approved structures.

You have the right to appeal to the Appeal Authority against the decision of the Authorised Employee, in terms of Section 79(2) of the George Municipality's By-law on Municipal Land Use Planning.

- A detailed motivated appeal with reasons should be directed to and received by the Appeal Authority, P O Box 19, George on or before **21 December 2020**.
- An appeal that is not lodged within the set date or that does not comply with Section 80 of the George Municipality's By-law on Municipal Land Use Planning will be deemed invalid.

Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

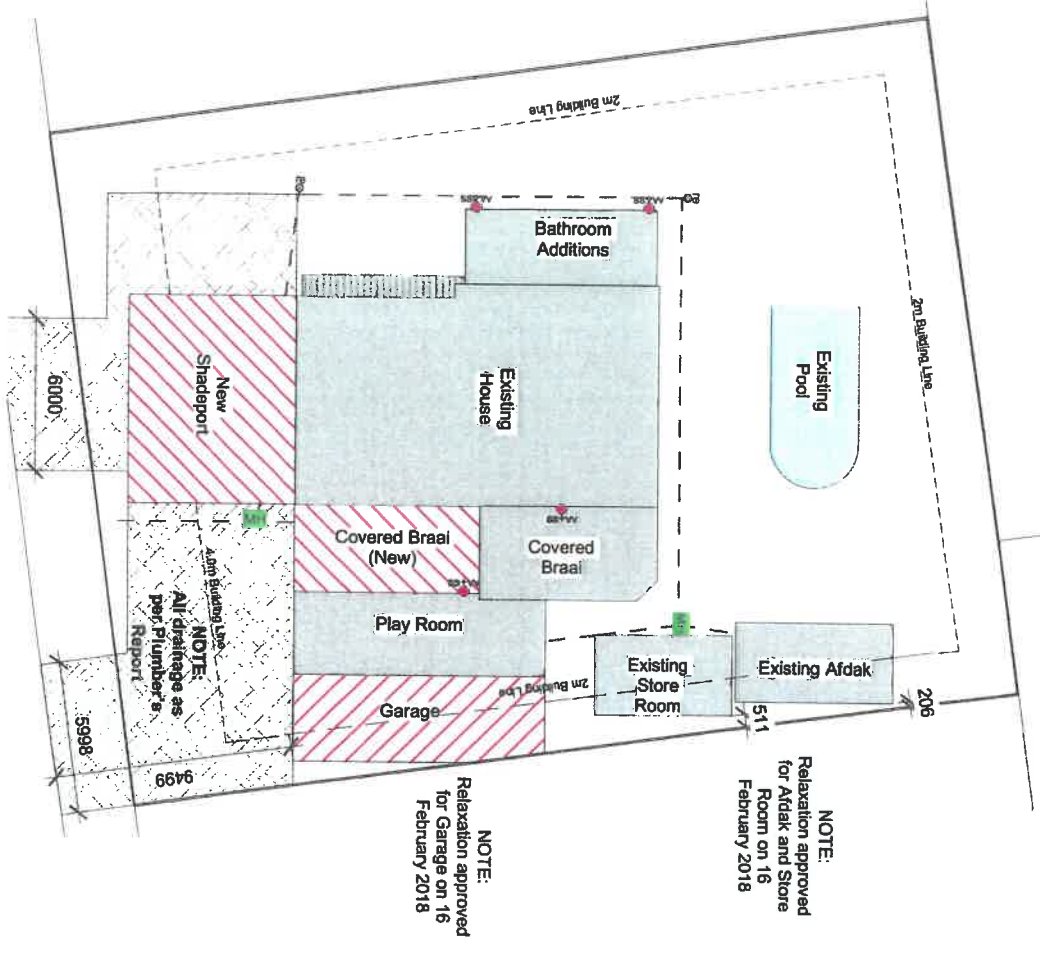
Kindly note that in terms of Section 80(14) of the George Municipality's By-law on Municipal Land Use Planning, the above decision is suspended until such time as the period for lodging an appeal has lapsed, any appeal has been finalised and you have been advised accordingly.

Yours faithfully

  
**T BOTHA**  
**MUNICIPAL MANAGER**

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**Site Plan**  
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**MUNISIPALITEIT GEORGE MUNICIPALITY**  
Approved in terms of Section 60 of the George Municipality: Land Use Planning By-Law (2015) subject to the conditions contained in the covering letter.

30/10/2020  
DATE  
DATUM

*[Signature]*  
MUNICIPAL MANAGER  
MUNISIPALE BESTUURDER

Owner signature

**JDS Design Studio**  
johani@jdsdesign.co.za  
www.jdsdesign.co.za Cell: 084 400 5888

**DRAFT**  
Date: 07/08/2018  
Drawn: JJP Jacobs&CAP REG NO D 05880

**Site Section**

**801-03**

Sheet Size: A3

**Mr Orban**  
**Alterations and Additions to Erf 6293, Pigmy Road, George**

Revision		
No.	Description	Date

Remarks  
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*Received 18/2/2020*