

MOTIVATION REPORT

REZONING AND CONSENT USE

ERF 2903 KNYSNA

PREPARED BY



MAY 2013

1. INTRODUCTION

Application is hereby made on behalf Eduard Christiaan Daniel Bruwer (Power of Attorney attached as “Annexure A”) for the following:

- Rezoning of Erf 2903 Knysna, in terms of Section 17 of the Land Use Planning Ordinance (Ordinance 15 of 1985), from “Single Residential” to “General Residential” Zone, with consent for Professional Usage.
- Departure in terms of Section 15 of the Land Use Planning Ordinance (Ordinance 15 of 1985) to allow “Single Residential” building lines in a “General Residential” zone.

2. PROPERTY DESCRIPTION, SIZE AND OWNERSHIP

Title Deed Number:	T 51928/09 (“Annexure B”)
Description:	Erf 2903, in the Municipality and Division of Knysna, Province of the Western Cape.
Property Owner:	Eduard Christiaan Daniel Bruwer
Property Size:	882m ²
Title Deed Restrictions:	None
Bond:	Yes. Bond holders consent has been requested from Standard Bank
Zoning:	According to the Knysna Zoning Scheme the property is zoned as “Single Residential”
Current Land use:	Residential

3. SITE CHARACTERISTICS

3.1 LOCALITY (See Diagram 1: Locality Plan)

The property is situated on the corner of League and Hill in the western side of Upper Town.



3.2 TOPOGRAPHY AND VEGETATION (See Diagram 2: Aerial photo)

The property has an even gradient, gently sloping to the south. The vegetation on the property consists of manicured lawns and flowerbeds.

3.3 IMPROVEMENTS (See Diagram 2: Aerial photo)

The improvements on the site consist of a main dwelling. Building plans for the house was approved in 1965.



Figure 1: View of the house from League Street



Figure 2: View from the house from Hill Street

4. PROPOSAL

The owner of the property wishes to use the premises as a professional office. It is the intention to run a law practice from the existing house and no extensions to the building are envisaged. The existing access from Hill Street will be used.

To allow this usage it is proposed that the property be rezoned to “General Residential” with consent for “Professional Usage”.

“Professional usage” means such type of uses as what are normally and reasonably associated with the concept “professional”, e.g. doctors, dentists, architects, engineers, etc. The rendering of a service, as against carrying on a business, is one of the distinguishing factors;

A law practice is regarded as a professional service. The practice only constitute of one professional and one assistant. The Zoning scheme prescribed that, in the case of professional buildings, at least three parking bays per practicing professional shall be provided on the site, of which two parking bays per practicing professional shall be clearly demarcated for use by visitors (clients, patients, etc.). The attached Site development plan shows that the site can easily accommodate three parking bays on site.



5. MOTIVATION

5.1 KNYSNA SPATIAL DEVELOPMENT FRAME WORK 2008 (KSDF)

The property is situated within an area that has been identified in the KSDF as a Primary Node or CBD. The KSDF emphasise the importance of a healthy CBD and encourages any business development that will revitalise the CBD. The proposal is therefore compatible with the vision of the CBD.

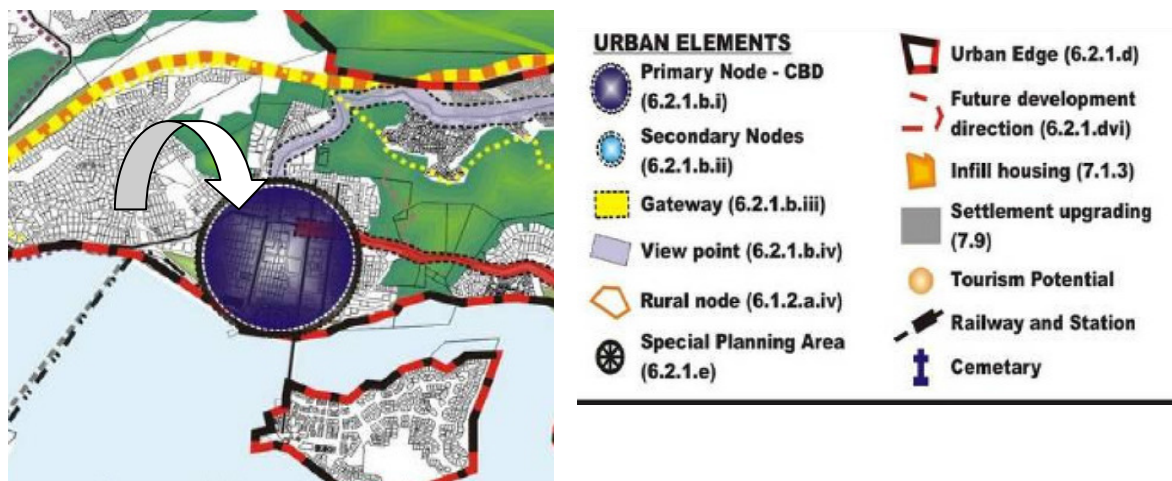


Figure 3: Extract from the Knysna SDF

5.2 KNYSNA ZONING SCHEME PARAMETERS

The intention is to run the office from the existing house. In order to mitigate any potential impact on the neighbouring properties, it is proposed that the current “Single Residential” parameters, which are more restrictive, be imposed on this site. The table below compare the “Single Residential” development parameters with the “General Residential” development parameters.

Zoning parameter		Single residential	General Residential
Floor factor		0.7	1
Coverage		35%	50%
Height		8m	12m
Building Lines:	Street	4.5	8m
	Lateral	2m	4.5
	Rear	2m	4.5
Parking		Not prescribed	

The attached Site Development Plan shows the footprint of the existing house in relation to the “Single Residential” and “General Residential” building lines. The footprint complies with the “Single Residential” building lines but cannot comply with the eastern street building line. Since all the single residential zoning



parameters will apply to the site it is therefore requested that the “General Residential” building lines be relaxed to 2m for rear and lateral building lines and 4.5m street building lines.

5.3 IMPACT ON THE NEIGHBOURING PROPERTIES

The physical development on the property will be restricted to the development parameters applicable to the “Single Residential” zone. The proposed change of land use will therefore not have any physical impact on the privacy or views of the surrounding properties.

The only difference will be the type of land use permitted on the site. The professional practice will be conducted during day time and will only consist of one professional and one assistant. A small professional practice does not generate much traffic and is unlikely to cause any noise or other disturbance to the neighbouring properties. Onsite parking will be provided which will ensure that the residential streets will not become congested with on street parking.

It should be kept in mind that a professional practise can be conducted from a residential property as an “occupational practice” provided that the person conducting the “occupational practice” stays in on the property. The only difference here is that the owner will not be residing on the property.

5.4 IMPACT ON THE CHARACTER OF THE AREA

The Character of the Surrounding area can best be described as a mixed use area typical associated with areas on the periphery of a CBD. Land uses in the area is depicted on Diagram 4: Land Use Map and include; dwelling houses , medium to high density residential developments, guest houses , bed and breakfast establishments, shops , offices, laundromats, and churches.

The Zoning Map attached as Diagram 3 indicates that there are several “General Residential” sites in the direct vicinity of the site. The proposed zoning will therefore not create a new precedent in the area.

5.5 AVAILABILITY OF SERVICES

The proposal will not require any additional services. It is anticipates that the office will use less than an ordinary family dwelling.

6. CONCLUSION

Application is made to allow a professional practice to be conducted from the house on Erf 2903 Knysna. The proposed rezoning to “General Residential” with consent to allow professional practices will not have any physical impact on the surrounding properties or the character of the neighbourhood, as it will not result in any physical changes to the property. It is proposed that the current Single Residential zoning parameters continue to apply to the property.

