

BUILDING LINE RELAXATION APPLICATION FORM

BLR-01



APPLICATION FORM FOR BUILDING LINE RELAXATION IN TERMS OF SECTION 37 OF THE LESEDI LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015

TO: The Executive Manager: Local Economic Development and Planning

No. 1 HF Verwoerd Street
Civic Centre Building
Heidelberg

LEDP REFERENCE NO.

DATE:..... 20.....

1. DESCRIPTION OF LAND ACCORDING TO TITLE DEED

Erf/Holding/Portion	
Town/Agricultural Holdings/Farm	
Number and Name of Street or Road	

2. EXTENT OF RELAXATION

<i>From</i>	<i>To</i>	<i>Boundary (street/side/back)</i>
m	m	
m	m	
m	m	
m	m	

3. **PROPERTY INFORMATION**

Town Planning Scheme	Lesedi Land Use Management Scheme, 2018	
Current zoning		
Property size (m ²)		
Bond	YES	N/A
Bondholder's Name		
Special Power of Attorney	YES	N/A
Company Resolution	YES	N/A

4. **APPLICANT'S DETAILS**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		

5. **OWNER'S DETAILS (if different from applicant)**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
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Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
ID Number		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		
Details of Owner's/ Marital Status	Not Applicable	Married in Community of Property
		Married in out of Community of Property

6. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

SUBMISSION WITH BUILDING PLANS

Documents required	Number of copies	Submitted (X or N/A)
Application fee		
Site and/or Building Plan (A3/A4 size)	2	
Title Deed / Leasehold Title	1	
Proof of notification of the adjoining property owners	1	
Zoning Certificate	1	
S.G Diagram	1	

SUBMISSION WITHOUT BUILDING PLANS

Documents required	Number of copies	Submitted (X or N/A)
Application fee		
Bondholder's Consent (if applicable)	2	
Company Resolution (if applicable)	2	
Motivated memorandum	2	
Site/Development Plan (A3/A4 size)	2	
Special Power of Attorney (if applicable)	2	
Title Deed / Leasehold Title	2	
Proof of notification of the adjoining property owners	1	
Zoning Certificate	1	
S.G Diagram	1	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.

BUILDING LINE RELAXATION GENERAL INFORMATION AND PROCEDURE

BLR-2



GENERAL INFORMATION AND PROCEDURE FOR THE BUILDING LINE RELAXATION IN TERMS OF SECTION 37 OF THE LESEDI LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015

1. **APPLICATION**

A complete application duly completed and accompanied by prescribed documents, must be submitted to the Local Economic Development and Planning Department. Further information can also be obtained from the Planning Unit Offices.

2. **LODGING OF APPLICATION**

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

Submission with building plans: Building Control Officer/Manager: Building Control

Submission without building plans: The Executive Manager: Planning Department

- (a) An application form for the Council's consent, duly signed by the applicant.
- (b) If the applicant is not the registered owner of the property, the application must be accompanied by a **Power of Attorney from the registered owner.**
- (c) Should the owner of the property be a registered company, a resolution taken by the board of directors of the company, authorising the relevant director/employee to apply on behalf of the company, is required in addition.
- (d) Site plan / Building plan, in A4/A3 size, showing the following in relation to each other and the property:
 - (i) Locality and uses of existing buildings on the property
 - (ii) Locality and uses of proposed new buildings, if any

- (iii) Boundaries of property
 - (iv) Parking
 - (v) Access to and from property
 - (vi) North point
- (e) A copy of the relevant Title Deed(s) of the property.
- (f) Special Power of Attorney, from the registered owner (if application is made by someone else) and if applicable, the bondholder's consent & company resolution.
- (g) Proof of the notification of the adjoining property owners
- (h) An Application fee as per the Council Tariffs, payable to the **Municipality**.

3. **NOTIFICATION OF ADJOINING PROPERTY OWNERS**

The applicant shall notify each adjoining property owner of the application by registered post or hand delivery.

If the adjoining property owners form part of a body corporate, the notice may be delivered in the onsite post boxes of the adjoining property owners and the applicant may submit email / facsimile correspondence as proof of receipt of the notice so delivered. Alternatively, comments from the board of trustees of the body corporate may be obtained.

If the adjoining property does not reside on the adjoining property, the applicant shall notify them by registered post.

The applicant shall submit proof of the notification of the adjoining property owners to the Municipality on this prescribed form.

4. **RAISING OF OBJECTIONS**

Provision is made in the notification of adjoining property owners for a period of 28 days wherein objections against the application may be submitted. The 28-day period is **calculated from the date on which each adjoining property owners was notified and signed receipt or the date that the registered mail was sent to them.**

Any objections/comments or representations with regard to the specific application must be submitted in writing to the Planning Offices, on or before the final date of the objection period as stated in the advertisements and/or notices.

5. Any objections/comments/representations received by the Municipality will be forwarded to the applicant and the applicant will have a reasonable opportunity after the objection period is over to reply in writing to any such objections/comments/representations and before the municipality considers the application.
6. The Municipality will take into consideration any objection received within the prescribed period and will notify the applicant and the persons, if any, from whom objections/comments/representations were received, of its decision.

The applicant and/or any of the aforesaid persons, **if aggrieved by the decision of the Council**, may then appeal to the Lesedi Local Municipality Appeals Authority, in writing. (The contact details for this Authority will be made available by the Planning Offices)

7. The decision of the Municipality will not take effect if an appeal has been lodged, until such appeal is disposed of by the Lesedi Local Municipality Appeals Authority.
8. The attention of applicant/s is directed to the fact that the responsibility of ascertaining whether this procedure may, or may not be followed, is entirely their own (i.e. the applicant's). It must be clearly understood that these forms are being issued without prejudice.
9. Applicants are advised in their own interest to pay close attention to the aforementioned, since an application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

IF ANY DIFFICULTIES IN THIS REGARD ARE EXPERIENCED IT MAY BE ADVISABLE TO CONTACT A TOWN PLANNING CONSULTANT OR THE RELEVANT MUNICIPAL PLANNER FOR THE AREA.

NB. THIS APPLICATION DOES NOT EXEMPT APPLICANTS FROM COMPLIANCE WITH OTHER PROCEDURE AND/OR REQUIREMENTS PRESCRIBED BY ANY OTHER APPLICABLE LEGISLATION.

10. **PLEASE NOTE:
MERELY SUBMITTING AN APPLICATION, *MUST NOT BE CONSIDERED AS APPROVAL BEING GRANTED*. A SUBMITTED APPLICATION IS MERELY FOR CONSIDERATION AND THE FINAL DECISION MUST STILL BE MADE BY COUNCIL.**