

**MAGALIESBERG COUNTRY ESTATE
M.C.E.**

**DEVELOPMENT AND RESIDENTIAL
DESIGN GUIDELINES**

**REVISED
JANUARY 2010**

DEVELOPMENT AND RESIDENTIAL DESIGN GUIDELINES FOR THE MAGALIESBERG COUNTRY ESTATE

GENERAL RULES

The Estate is situated on the northern slope of the environmentally sensitive Magaliesberg which is a natural asset to the development.

Please refer to the environmental and landscape guidelines under a separate document. No indigenous trees are to be removed without the written recommendations of the architect / landscape architect for approval by the developer / P.O.A. The purpose of these design guidelines is to encourage individual creativity while ensuring that the overall development around this green area harmonises to create a balanced lifestyle for all residents.

The design of the dwelling unit and the entire stand should show sensitivity to the existing natural features, flora and topography. Permission is to be granted before any existing trees are removed and all existing trees are to be shown on the site plan.

The construction of a dwelling should be completed within three years from the date of first transfer from developer to stand owner. The P.O.A. in its sole discretion will have the right to enforce a penalty levy of (*omit – of R30 000, 00 for non-adherence to this clause.*) not more than double the levy amount that is applicable from time to time.

Elevational treatment of all buildings must conform to good architecture so as not to interfere with or detract from the general amenity and appearance of the neighbourhood.

These guidelines will be enforced by the Developer, through the Property Owners Association (POA) and membership of the POA is compulsory in terms of the Title Deed.

These guidelines may be altered by the P.O.A. from time to time according to their articles and rules in terms of its MEMORANDUM OF ASSOCIATION.

1. TOWN PLANNING CONTROLS

- NB: Read also with STATEMENT OF CONDITIONS OF TOWNSHIP ESTABLISHMENT (Town planner – Tino Ferero and Sons – tel: (012) 546 8683)

Use Zone 1: Residential 1

Maximum Coverage:	50%		NB: Other zonings (i.e. duet erven)
Maximum Height:	2 Storeys		heights and building lines apply to
Building Lines:	Street Boundary:	5 metres	certain erven in Ext. 37 and 40 –
	Other Boundaries:	2 metres	see conditions of establishment

The first floor must not exceed 80% of the ground floor.

The following will apply for single storey garages and outbuildings on condition of pre-approval by the P.O.A before submittal to Council of building plans: (Note that the necessary approval must still be obtained from Council).

Street Boundary:	3 metres
One Side Boundary:	0 metres if conditions of Title are also adhered to.

Purposes for which the erf may be used only with the special consent of the municipality subject to the provisions of the Town Planning Scheme after reference to the P.O.A: Home Office, Household Enterprises.

2. TREATMENT OF STAND BOUNDARIES

It is appreciated that the diverse nature of single residential neighbourhoods will lead to a variety of treatment to the street boundary. Every effort should be made to avoid high solid walls along streets. No wire fencing will be allowed.

2.1 Street Boundary

Wall finishes must be similar to that used on the dwelling. Solid walls, not higher than 1,8m, must not be more than 25% of the street boundary. Should a palisade type fence be used it should be used in conjunction with brick pillars. Maximum height of 1,2m for wall and palisade, except for 25%, which may be 1,8m.

2.2 Side Space

The side walls between properties may be a maximum of 1,8m high over the extent of the boundary. Side boundary walls onto green park areas are to be reduced to 1,2m in height over the last 2m to the boundary.

***NB** Side boundary walls must have neatly finished face brick maintenance free finish to the outside and finishes to match the house on the inside.

2.3 Boundary Fencing To The Green (Park) Areas

Ideally the boundary walls between stands and the green area should be totally unfenced and open.

A palisade type fence with a maximum height of 1200mm height will be permitted and the colour must be forest green. Planting in front of the fence is encouraged.

2.4 General

If solid walling is required to enhance the privacy of certain parts of the property (for example to screen the swimming pool from the street), then such walling should be as low as possible. If a solid wall with maximum height of 1,8m is unavoidable, a stepped-back or articulated wall is considered less detrimental to the streetscape.

The conditions for a street boundary wall still must be adhered to.

3. BUILDING DESIGN GUIDELINES

- 3.1 All building plans must be submitted for approval to the Controlling Architects KWP Architects for recommendation for approval by the Developer / P.O.A.
- 3.2 All external finishes and colours should be specified, and colour samples may be requested. Natural earthy colours are encouraged. Bright colours cannot be used without special consent.
- 3.3 The privacy of surrounding properties should be considered. As a general rule windows or balconies on the upper story should not overlook the living space of the adjacent dwelling.
***NB Special consent for all balconies must be obtained from neighbours before plans are submitted to KWP for recommendation. Plans as well as interpartite forms must be signed and handed in.**
- 3.4 No staff accommodation should be nearer to the street than the main building unless contained under the same roof or integrated into the overall design.
- 3.5 Staff accommodation and kitchen areas should open onto screened yards or patios.
- 3.6 Out-buildings and additions should match the original building design in style, elevation and material usage. No flat roofed carports will be permitted.
- 3.7 Yard and screen walls maximum 1,8m high, should compliment the basic materials of the building.
- 3.8 No garden sheds, wendy houses, dog kennels, caravans, boats or trailers are to be visible from the road or green area.
- 3.9 Shade netting may not be used.
- 3.10 Solar heating panels, if used should be incorporated into the building and form part of the basic structure and should be clearly shown and annotated on the approval drawings.
- 3.11 Airconditioning units and pool pumps must not be audible and visually disturbing from adjoining properties. Their positions must be clearly marked on submittal drawings to KWP Architects.
- 3.12 Position of DSTV dish to be indicated on plan and elevation.
- 3.13 No deviations from the approved drawings will be permitted unless the deviation is re-submitted and approved in writing prior to construction.
- 3.14 No dwelling may be smaller than 200m² excluding garages and outbuildings.
- 3.15 No visible pipes will be allowed on the outside of elevations. All pipes must be concealed in ducts integrated into the design.
- 3.16 Extent of paving, to match the finishes of the house must be shown on the site plan, the Width of the driveway at the junction with the street must not exceed 6m and must extend up to the street kerb.
- 3.17 Only indigenous trees and shrubs will be allowed to be planted. ***NB See also Landscaping Guidelines**. No exotic palm trees, Kikuyu or Quickgrasses will be allowed.
- 3.18 No one unit of a duet unit may be smaller than 150m² excluding garages and outbuildings. The two units of a duet on each erf must be designed as one aesthetic building (i.e.both units to the same style) and be aesthetically pleasing in appearance. Maximum height of 2 storeys also applicable. (This clause 3.16 March 2006 – read also with statement of Conditions of Township Establishment).

4. APPROVED BUILDING MATERIALS

4.1 Roof coverings

Main roofs in general will have a pitch of 17½° or more.

4.1.1 Profiled metal sheeting – pre-painted / coated (eg. Chromadek).

4.1.2 Concrete roof tiles.

4.1.3 Thatch roofing – thatch will only be allowed with plastered or stonewalls and not with facebrick.

4.1.4 Slate roofs

4.1.5 Flat concrete roofs – waterproofing to be non-reflective, only minimal portions will be allowed. No completely flat roofs will be allowed.

4.1.6 No galvanized gutters and rain pipes will be permitted.

4.1.7 Lean-to's and temporary carports or patent type shadenetting structures will not be permitted.

4.2 Walls

4.2.1 External masonry walls shall be 230mm brick finish. Plaster and painted walls will be permitted but colours in ranges of earthly colours, are to be submitted for approval. The approval of the P.O.A should be obtained for the use of any material other than conventional bricks and mortar.

4.2.2 Pre-cast concrete boundary walls will not be permitted and any face brick or plastered boundary walls must be completed on both sides of the wall.

4.2.3 Razor wire, security spikes or similar features will not be allowed.

4.3 Windows

4.3.1 In general windows shall form individual openings in a dominant wall.

4.3.2 Traditional shutters or louvres are encouraged.

4.3.3 External burglar bars will not be permitted.

4.4 Doors

No "Trellidoor" type expanding security doors will be permitted externally. Garage doors shall be painted an approved colour or natural timber finish.

5. CONSTRUCTION ACTIVITIES

5.1 All building materials are to be stored within the site boundary, no material is to be off-loaded onto the road or road reserve.

5.2 No workmen will be permitted on the site between the hours of 18h00 and 06h00.

5.3 All contractors will be required to provide screened ablution facilities for the workmen and sub-contractors under his control to the satisfaction of the Council.

5.4 Construction hours are restricted to between 06h00 and 18h00, Monday to Friday and 07h00 to 14h00 on Saturdays. No construction activity is to take place on Public Holidays or Sundays.

5.5 Fines may be levied from time to time by the P.O.A for contractors and delivery vehicles who spill material en-route, damage roadways and kerbs, stain tarmac and generally create nuisance within the estate.

6. PROCEDURE FOR THE APPROVAL OF BUILDING PLANS

- 6.1 Building plans by registered architects or registered technologists only, together with **R 990, 00** or **R2 000, 00** approval fees respectively, must be submitted to the Controlling Architects, KWP Architects tel: (012) 343 9141, appointed by the Developer / P.O.A for consideration and recommendation for approval of the plans by the Developer prior to submission to Council. (These fees will escalate annually by 10%)
Proof of registration may be requested.
- 6.2 One additional coloured copy of the final building plan submission must be submitted, which will be kept for record purposes by the P.O.A.
- 6.3 A sidewalk and kerb deposit of R2000, 00 is to be paid simultaneously with the submittal of plans to the P.O.A. prior to start of construction for damage to public property. Plans will not be finally approved before this deposit has been paid (See also 6.5)
- 6.4 ***NB A signed copy of these guidelines by the owner of the erf is to be submitted with the building plan.**
- 6.5 Rules:
- 6.5.1 Notwithstanding the fact that the building plans may comply with all the above, the approval or rejection of such plans shall be at the sole discretion of the Developer / P.O.A.
- 6.5.2 Nothing in the above will be construed as permitting the contravention of the Conditions of Title to any erf of any by-laws or regulations of the Local Authority.
- 6.5.3 Every effort will be made to ensure that standards are observed by all stand owners. However, the right to final approval of building plans ultimately vests in the Local Authority and no assurance can be given to individual owners that the above standard will be adopted throughout the township.
- 6.6 The deposit amount of R2000, 00 must be paid over to the Magaliesberg Country Estate P.O.A before plan approval. This amount will be held in a trust (free of interest) by the P.O.A until completion of the buildings and improvements have been achieved.
- 6.7 The payment of **R 990, 00** or **R2 000, 00** respectively must accompany the building plans to cover costs of the Controlling Architects, KWP Architects, employed by the P.O.A to recommend the plans for approval by the Developer / P.O.A
- 6.8 The following items must be clearly shown on the plans:
- site area
 - area of dwelling including patios and outbuildings;
 - coverage (%), FAR and height;
 - building lines;
 - all external finishes including a colour specification;
 - boundary wall / fence details including elevations;
 - drainage and how it is concealed;
 - layout of driveway
 - washing / yard areas and screen walls
 - servitudes.
- 6.9 A deposit amount of R5000, 00 must be paid over to the P.O.A. before building operations commence, by the builder contractor.

This amount will be held in trust (free of interest) by the P.O.A. until the completion of building operations and a Practical Completion Certificate has been signed by the registered owner and counter signed for and on behalf of the P.O.A.

7. PROCEDURE FOR INSPECTION AND REPAYMENT OF DEPOSIT:

The amount of R2000.00 may be used to remove any rubble or make good any damage caused by the builder, e.g. kerbing, landscaping and community services.

The deposit will only be repaid:

- once the building site and other commodities have been cleared and/or repaired
- the payee has complied with all the Architectural Guidelines, within a reasonable period, as determined by the P.O.A.
- the local authority’s certificate of completion and occupation has been submitted to the Developer/P.O.A. by the owner.
- the relevant form (obtainable from The Developer/P.O.A.) has been signed by the Owner.

8. BUILDING INSPECTIONS AND OCCUPATION:

The Project/Controlling Architect may inspect the works at the instruction of The Developer/P.O.A. at any stage during construction and may request any reasonable alterations and/or additions as per the approved plans to ensure that the general design guidelines as intended for the development are implemented.

The home owner is responsible to notify the Developer in writing on the signed prescribed form that completion, as set out above, has been reached. A copy of the occupation certificate must be attached.

Return of the deposit of the premises will thus only be allowed after the home owner has produced an occupation certificate from the City Council and the Controlling Architect’s certificate to the Developer/P.O.A. This inspection by KWP, the Controlling Architect, will require an additional amount of **R1 177, 00 (2010)**, to be increased by 10% on a yearly basis, at a fair and reasonable professional charge of an architect. It being noted that notices for inspection must not be prematurely requested as only one inspection is allowed for. Additional inspections by the Controlling Architect will be done @ **R1 177, 00** per hour (excluding VAT) and will be for the account of the owner.

NOTE: ALLOW ± 14 DAYS FOR EXAMINATION OF PLANS

Signed: _____
(Property Owner)

Full Name: _____
(Property Owner)

Date: _____