

**16 Aug 2024**

## **PART 2: FREQUENTLY ASKED QUESTIONS WITH REGARDS TO BUILDING PLANS**

In the next 2 MC2Agents the most frequent questions pertaining to building plans will be discussed, this is part 2 in the 3 part series.

### **- What happens if any structure is built over the building line?**

An erf typically has four building lines, usually a two meter space from your boundary wall, which means that you are not allowed to build anything within two meters of your boundaries. The building lines of your property are indicated on the building plans of the property.

If a structure, for example a lapa roof or carport, is built over the building line, a building line relaxation must be applied for, to which your neighbour will have to consent. A town planner or architect is usually appointed to attend to this application.

### **- What happens if a structure is not approvable?**

Before beginning any building work on a property, owners are required by the National Building Regulations and Building Standards Act 103 of 1977 to obtain plans that have been approved by the local municipality. The local municipality is normally responsible for enforcing this compliance. In order to ensure that the minimum standards of health and safety are upheld as well as that such alterations and structures comply with all necessary statutory requirements and regulations, every owner should obtain the municipalities' approval before building or altering their property.

After plan approval, an occupational certificate must be issued, and for this a building inspector must inspect all structures on the property. During this inspection, the inspector ensures that all structures have been erected in accordance with the approved plans. If a structure is not in accordance with the plans and is not allowed in terms of the regulations, it must be demolished.

A building inspector has the right to enter a property and order construction to stop right away if an owner has decided to construct without having approved plans. The owner will be responsible for the associated legal costs and the building inspector may also get a court judgement ordering the demolition of the building at the owner's expense.

In practice it happens a lot that the municipality has no approved building plans on file, or that a previous owner has built on without obtaining approved building plans first. In such a situation, the current owner will have to obtain new building plans, and will have to demolish any structures that are not capable of approval.

**- What happens if the coverage on the property is exceeded?**

Coverage is a phrase that normally refers to the footprint of a building structure on a subject property as seen from directly above the subject property and is defined in a land use scheme. According to the zoning of a property there is a specified coverage of each property which means that the structures on the property may only cover a certain percentage of the whole area of the property.

For example, a residential zoned property may only cover 40% of the property. If coverage is exceeded the property will have to be rezoned or certain structures demolished, which can be an expensive process.