

Date: 14/04/2023

The Chief Executive Officer
Municipality of Okahandja
Martin Neib Avenue
P.O. Box 15
Okahandja, Namibia

Attention: Mr. A. Tjitombo,

Dear Sir,

**APPLICATION TO PURCHASE STREET PORTION 1 OF MARTIN NEIB AVENUE
OKAHANDJA FOR CONSOLIDATION PURPOSES WITH ERF 237 OKAHANDJA
INTO PORTION X.**

1. Background and Application

I, Lizelle Grassow, the co-owner of Erf 237 Martin Neib Avenue Okahandja herewith apply to the Municipality of Okahandja for:

- *Subdivision of Martin Neib Avenue Okahandja into Portion 1 and Remainder;*
- *Permanent Closure of Portion 1 of Martin Neib Avenue as "Street";*
- *Consolidation of Portion 1 (1695m²) of Martin Neib Avenue Okahandja with Erf 237 (2532m²) Okahandja into Erf X (4227m²); and*
- **Subsequent Purchase of Street Portion 1 of Martin Neib Avenue.**

*An approval was granted by the Okahandja Municipality vide Council Resolution No. **CR13.2.3/31/08/2021** for the Rezoning of Erf 237 Martin Neib Avenue Okahandja from "Residential" with a density of 1:900 to "General Business" with a Bulk of 1.2 for a Hotel Pension of more than 10 Leasable Rooms. A subsequent subdivision application as per the above application description is submitted and is lying at Town Planning Division since October 2022 for consideration and is not yet assessed.*

The previous owner of Erf 237 Okahandja, my father Mr. Philippus Stefanus Meyer, was offered to purchase a Portion of Martin Neib Avenue in 1992 by the Okahandja Municipality as per attached letter (in Afrikaans) dated 22 December 1992 and the street portion which now appears as an encroachment was already fenced in by the previous owner from whom Mr. Meyer bought the property around 1983. This letter was however only discovered after my husband and I obtained the rezoning approval for a Hotel Pension Establishment on Erf 237 Martin Neib Avenue as per attached Council Resolution.

The locality of the Erf is shown on the attached plans.



2. Erf/Site Information

Martin Neib Avenue is the main street of the Okahandja Town and Erf 237 Okahandja is located in Martin Neib Avenue. The landscape of the Erf is fairly flat and sloping southwards. Erf 237 Okahandja is currently zoned 'single residential' with a density of 1:900 measuring 2532m² in extent and comprising 4 leasable rooms before the rezoning approval of 2021. The Proposed Portion 1 is part of the old route of Martin Neib Avenue over the river channel.

2.1. Municipal Services and Street Access

Erf 237 Okahandja and Portion 1 of Martin Neib Avenue are already connected to the Okahandja municipal reticulation network, as it is located in a built-up neighborhood. All additional and extension of municipal services such as sewer, water and electricity for the existing development, will be in line with the municipal service requirements. The parking requirement will be provided for on-site.

2.2. Registered conditions

The conditions for Erf 237 Okahandja Proper are contained in the Deed of Transfer No. T4283/2017 copy attached. There are no special conditions or servitudes that will affect the proposed development as this is an existing situation.

3. Development Proposal

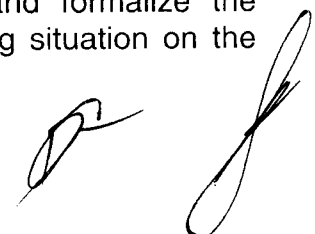
The current boundaries of Erf 237 Okahandja already include the Street Portion 1 of Martin Neib Avenue as offered to my father. It is thus our intention and as owners of Erf 237 Okahandja to formalize the subdivision of Martin Neib Avenue into Portion 1 for consolidation with our Erf 237 Okahandja into one Erf X as per the situation on the Ground and as per the attached image and letter of 1992.

It should be noted that the existing western boundary line of Erf 237 on the ground which is abutting Martin Neib Avenue (including the fenced in street Portion 1), is aligned with the boundary lines of Erven 451 to 454, 456 and 788 as well as with the side walk width of 6.5 metres from the street edge up to the Erf boundary.

It is worth noting that the Portion offered to my father was 194m² as opposed to the current Portion that was already part of the Erf at the time my father purchased the property which measures 1695m². We accept and acknowledge the responsibility for the cost of the sale thereof.

This will then rectify and eliminate the "encroachment" issue on the Erf as well and allow for the approval of the submitted building plans currently in the building control division in the Municipality of Okahandja.

It is against the above backdrop that I apply to complete and formalize the subdivision and consolidation process as per current and existing situation on the



ground. It is further proposed that the sale and subdivision applications be discussed simultaneously as an integral approach.

3.1. Current Land Use

Portion 1 is currently zoned 'street' and measures 1695m² and will be further submitted to the Urban and Regional Planning Board once the subdivision, consolidation and sale is approved.

3.2. Proposed Land Use

The Street Portion 1 of Martin Neib Avenue will assume the new zoning of Erf 237 Okahandja being 'General Business' with a bulk of 1.2. The consolidated Erf size will further allow for the approval of the building plans submitted to the Okahandja Municipality for the renovations/ additions/alterations to the existing set-up of the Hotel Pension Establishment as approved and in line with the Okahandja Zoning Scheme.

3.3. Subdivision and Consolidation

Below is the table with the proposed Subdivision and Consolidation

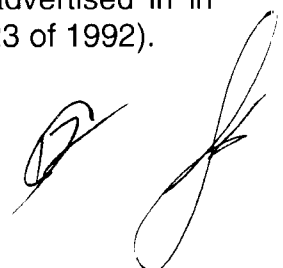
Subdivision		
Erf	Size	Land Use Zoning
Martin Neib Street		Street
Portion 1	1695m ²	Street
Consolidation		
Erf	Size	Land Use Zoning
Erf 237	2532m ²	General Business 1.2
Portion 1	1695m ²	Street
Erf X	4227m ²	General Business 1.2

The Subdivision and Consolidation Plans are attached.

4. Public Consultations

The intended subdivision of Martin Neib Avenue Okahandja are done in compliance with the provisions of Sections 105(e) and 107 of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) whereby the notice (attached) is issued to immediate neighbor's for notification purposes only.

The closure of Portion 1 of Martin Neib Street as 'Street' will be advertised in in terms of article 50 (1) (a) (ii) of the Local Authorities Act of 1992 (Act 23 of 1992).



The subdivision and consolidation notices were served to the neighbor during the submission of the subdivision and consolidation application as per Section 105(e) of the Urban and Regional Planning Act 5, of 2018.

5. Concluding remarks

The Okahandja Municipal Council generally supports property owner's initiatives in complying with the Zoning Scheme provided that the proposed development does not infringe on the surrounding areas set-up. Given the current situation whereby the property owners are making efforts to comply with the Okahandja Zoning Scheme, this application should be commended as only a few property owners value such gesture of compliance.

The intended subdivision of Martin Neib Avenue into Portion 1 for consolidation purposes with Erf 237 Okahandja into one Erf X, is expected to enhance the accommodation establishment development on Erf 237 Okahandja and will enable the owners to obtain a consolidated title on the Erf upon transfer of the street Portion of Martin Neib Avenue.

The above is thus in line with Council expectations and not considered to have a negative influence on the amenity of the area as this application is addressing an existing situation on the ground.

6. Application

The application is submitted for the following:

- *Subdivision of Martin Neib Avenue Okahandja into Portion 1 and Remainder;*
- *Permanent Closure of Portion 1 of Martin Neib Avenue as "Street";*
- *Consolidation of Portion 1 (1695m²) of Martin Neib Avenue Okahandja with Erf 237 (2532m²) Okahandja into Erf X (4227m²); and*
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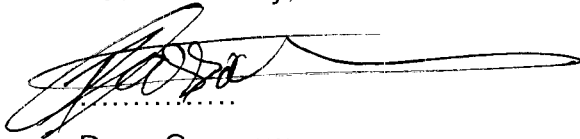
7. Attachments

One copy of the following documents:

- Application
- Copy of Rezoning Council Resolution
- Copy of Allocation letter of 1992
- Locality, Subdivision & Consolidation Plans
- Copy Deed of Transfer of Erf 237
- Diagram of Erf 237

Considering the above motivation, it is trusted that your highly esteemed office will support our request.

Yours faithfully,



Dean Grassow



Lizelle Grassow