

**S. R. & O. No. 16 – 1959**

**THE BUILDING AND LAND DEVELOPMENT (CONTROL)  
RULES 1948.**

**ZONING ORDER**

**made by the Building Authority under the authority of Rule 28  
of the Rules.**

**HASTING ESTATES PEMBROKE PARISH ZONING ORDER, 1959.**

**Citation.**

- 1 This zoning Order may be cited as the Hastings Estate Pembroke Parish Zoning Order, 1959.

**Interpretation.**

- 2 In this Order:
  - (a) the expression “the Building Rules” means the Building and Land Development (Control) Rules, 1948;
  - (b) the expression “Hastings Estate” means the tract of land described in the First Schedule hereto and delineated on the plan 4838A which accompanied the Governor’s message to the House of Assembly No. 153 of the present session;
  - (c) the expression “original building lot” means any of the building lots into which Hastings Estate was originally subdivided, the situation dimensions and area of the several lots being delineated on the plan referred to in sub-paragraph (b) of this paragraph;
  - (d) the expression “building lots,” “communicating road,” “building operation,” “dwelling house,” “purpose involving human habitation” and “trade or business premises” have the meanings respectively assigned to those expressions in the Building Rule;
  - (e) the expression “accessory building” means a building which is not intended to be used for a purpose involving human habitation, and which is appurtenant to and is intended to be used in conjunction with a dwelling house and which is erected on the same building lot as such dwelling house but which is structurally separate from such dwelling house;
  - (f) the expression “adjoining land” means any land not forming part of Hastings Estate but adjoining any part of Hastings Estate.

**Building lot for building operation.**

- 3 No building lot consisting of any land forming part of Hastings Estate shall be used for any building operation unless that building lot comprises one or more complete original building lots.

**4. Types of building**

- (1) No building shall be constructed, altered (within the meaning of sub-paragraph (d) of paragraph (2) of rule 4 of the Building Rules) or used on any part of Hastings Estate except for the purpose of providing a dwelling house for a single family:

Provided that nothing in this sub-paragraph shall be construed so as to prevent the construction of accessory buildings.

- (2) Not more than one building intended to be used as a dwelling house shall be constructed on any original building lot.

- (3) No land forming part of Hastings Estate and no building thereon shall be used for any trade, business, professional or commercial purpose or as a place of public resort:

Provided that nothing in this sub-paragraph shall be construed so as to prevent the leasing or renting of any dwelling house constructed as aforesaid, subject nevertheless to the provisions of sub-paragraph (1) of this paragraph.

**Roofs of buildings**

5. The roof of every building at Hastings Estate (not being the roof of a verandah or the roof of an accessory building used solely for horticultural purposes) shall be a pitched and lapped slate roof of Bermuda Stone.

**Height of buildings.**

6. (1) No dwelling house situate on any part of Hastings Estate shall be constructed or altered so that any part thereof (except for any chimney thereon) shall exceed in height the level of a horizontal plane 25 feet in height above the natural grade of the land at the highest point on or over which any part of such dwelling house is erected.

(2) No accessory building situate on any part of Hastings Estate shall be constructed or altered so that any part thereof shall exceed in height the level of a horizontal plane 15 feet in height above the natural grade of the land at the highest point on or over which any part of such accessory structure is erected.

**Siting of buildings.**

7. No part of any accessory building situate on any building lot shall be constructed within a distance of 15 feet from any adjoining building lot.

8. (1) No part of any dwelling house situate on any part of Hastings Estate shall be constructed within a distance of 30feet from mean high water mark.

(2) No part of any dwelling house shall be erected on any original building lot (as specified in the first column of the Second Schedule hereto) so as to be closer to any adjoining building lot, communicating road or other adjoining land than the distances respectively specified in the second column of the Second Schedule:

Provided that in any case in which a dwelling house is intended to be built on a building lot which comprises two or more complete original building lots, the provisions of this sub-paragraph with respect to the minimum distance between such dwelling house and any adjoining lot shall not apply and the Building Authority shall have an absolute discretion to stipulate the minimum distance between such dwelling house and any adjoining building lot provided that in any such case such distance shall be not less than 30 feet.

**THE SCHEDULE FIRSTLY ABOVE REFERRED TO**

ALL THAT parcel of land at Point Shares in Pembroke Parish in the Islands of Bermuda delineated on the plan referred to in paragraph 2 sub-paragraph (b) of this Order and thereon coloured pink TOGETHER WITH the two islands also delineated thereon and coloured pink known as "Goat Island" and "Stipple Island" WHICH parcel of land and two islands together contain an area of 19 acres and 3 roods (19.75 acres) or thereabouts and said parcel of land being of irregular shape and being bounded NORTH-WESTERLY, NORTHERLY AND NORTH-EASTERLY by the waters of Fairylands Creek and Fairylands Lake EASTERLY by land of Retel Henry M.S. Lewin known as "Soncy" SOUTH-EASTERLY by the waters of Hamilton Harbour and SOUTHERLY, SOUTH-WESTERLY and WESTERLY by land of Lucy Webb Horsfall, Harry St. George Butterfield, Roy Milroy, Hubert Fortescue Watlington, Lyall Erskine Mayor and Michael Few Gregg, Frances Elinor Louise Price, John Russell Steinhoff, Frederik Leroy Selley, William Gordon Hines, Colin Stewart Anderson, John Eric Patterson Stewart, Durham Eve and James Eugene Pearman and HAVING the various measurements shown on the said plan.

**THE SCHEDULE SECONDLY ABOVE REFERRED TO**

Original Building Lot	Adjoining building lot, communicating road or other land
LOT TWO	Lot 3: 50 feet. Lot 4: 40 feet. Adjoining land to the West: 40 feet.
LOT THREE	Lot 2: 60 feet. Lot 4: 30 feet. Adjoining land to the West and South: 30 feet.
LOT FOUR	Lots 2, 3 and 5 : 20 feet. Centre line of communicating road: 50 feet.
LOT FIVE	Lots 4,6 and 7: 20 feet. Centre line of communicating road: 50 feet
LOT SIX	Lot 5: 30 feet. Lot 10: 50 feet. Lot 7: 30 feet
LOT SEVEN	Lot 5. 30 feet. Lot 6: 30 feet. Centre line of Communicating road on the East and South: 50 feet.
LOT EIGHT	Lot 9:50 feet
LOT NINE	Lots 8 and 10: 35 feet. Centre line of communicating road: 40 feet.
LOT TEN	Lot 11: 50 feet. Lot 9 and centre line of

LOT ELEVEN	Communicating road: 35 feet Lots 10 and 12: 50 feet. Centre line of Communicating road: 35 feet.
LOT TWELVE	Lots 11: 40 feet. Centre line of communicating Road: 35 feet.
LOT THIRTEEN	Lot 12: 50 feet. Centre line of communicating Road: 50 feet.
LOT FOURTEEN	Lot 15: 40 feet. Centre line of communicating Road: 35 feet.
LOT FIFTEEN	Lot 14: 30 feet. All other adjoining land: 30 feet.
LOT SIXTEEN	Lot 17: 35 feet. Centre line of communicating Road: 35 feet.
LOT SEVENTEEN	Lot 16: 35 feet. All other adjoining land. 30 feet
LOT EIGHTEEN	Lot 19: 35 feet. Adjoining land to the South: 35 feet.
LOT NINETEEN	Centre line of communicating road: 40 feet. Lot 18: 35 feet. Adjoining land to the South: 35 feet. Adjoining land to the South: 35 feet. Centre line of communicating road: 40 feet.

H.J. CAMPBELL,  
BUILDING CONTROL OFFICER  
FOR BUILDING AUTHORITY