

# Spatial development plan Sint Eustatius 2022

# Inhoudsopgave

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# Regulations

# Hoofdstuk 1 Introductory regulations

## Artikel 1 Definitions

These regulations contain the following definitions:

### 1.1 the plan

the spatial development plan 2022 for the Public Entity of St. Eustatius.

### 1.2 indication

a geometrical area or shape with which the grounds are indicated, where in accordance with the regulations, regulations are being adopted for the utilization and/or building and constructing on these grounds.

### 1.3 above ground infrastructure

Infrastructural facilities above ground such as roads, sidewalks, lighting, cables for electricity and communication, transformer boxes and gullies.

### 1.4 apartment complex

complex of two or more dwellings in connected or stacked building.

### 1.5 businesses

a company aimed at producing, processing, repairing, installing, collecting, processing, renting, storing and/or distributing goods

### 1.6 building

Any structure accessible for persons and forming a space partially or entirely defined by walls.

### 1.7 building and constructing

Installing, entirely or partially erecting, renovating or changing and expanding of a building or construction, as well as entirely or partially erecting, renovating or changing a pitch.

### 1.8 buildings and structures

one or more buildings and /or other structures.

### 1.9 demolishing

the (partially) demolition of a structure

### 1.10 holiday home/apartement

A house or apartment that is in use for overnight recreation for a period of at least 9 months.

### 1.11 hotel

a service company where someone can spend the night for a fee and stay for recreational purposes.

### 1.12 house

a building intended for human habitation that consists of one or more rooms, mainly intended as a main residence for one separate household.

### 1.13 house bound professions or businesses

either rendering professional or commercial business activities and services in the fields of administration, architecture, art, legal or fields of a similar nature, or practicing a profession in medical, paramedical, therapeutic or similar fields.

### 1.14 household

one or more persons living together in a permanent dependence.

### 1.15 level

In case of building activities on a plot:

- a. For a structure of which the main entrance is directly adjacent to the road: the height of the road on site of the main entrance concerned;
- b. For a structure of which the main entrance is not directly adjacent to the road: the height of the terrain on site of the main entrance concerned at the time when building is completed;
- c. On an uneven terrain: the average height of that terrain;
- d. If the structure is at or on the water: the height of the terrain on site of the nearest point where the water borders on the main land.

### 1.16 light businesses

Type I and II establishments of the Establishment and Activity Decree BES.

### 1.17 modulaire unit

a unit produced and assembled elsewhere that individually or connected almost immediately can be used as a building.

### 1.18 percentage of built-up area

a percentage indicating the maximum part of a terrain to be used for building and constructing, registered in the regulations.

### 1.19 pier

a construction resting on pillars in the sea.

### **1.20 plot**

One single piece of land, on which according to the regulations, an independent and related building or structure is allowed.

### **1.21 plot boundary**

The boundary of a plot

### **1.22 present buildings and structures**

The buildings and structures present during the time of the preparatory decision being made available for public inspection, buildings and structures with issued building permits built after this time and buildings and structures with issued building permits yet to be built and buildings and structures that have been registered as allowed buildings and structures on said grounds in a ground lease deed or in a deed of sale of the government. These acts must date before the time of the preparatory decision being made available for public inspection.

### **1.23 present situation**

Present buildings and structures combined with present use (function).

### **1.24 present use/utilization (function)**

Use (function) present during the time of the preparatory decision being made available for public inspection, later use (function) based on a decision by the Executive Council and use (function) still to be executed based on a decision by the Executive Council.

### **1.25 public-use**

social, civic, cultural, religious, educational, sports and health.

### **1.26 regular maintenance**

Maintenance which is, with the zone in mind, necessary on a regular basis for good management en utilization of the grounds and buildings of that particular zone.

### **1.27 recreational stay**

stay for recreation outside the one's home for at least one night and a maximum of 3 months.

### **1.28 retail**

commercial sales, including the display for sale, selling, renting and/or supplying goods to persons who buy or rent those goods for use, consumption or application other a professional or business activity.

**1.29 small-scale agricultural activities**

agricultural and horticultural activities for producing for one's own needs. Livestock farming is not allowed, free-roaming poultry is allowed.

**1.30 souterrain**

a space that is partly, less than half, below the ground floor.

**1.31 structure**

Any structure of fair size made of wood, stone, metal or other materials, either connected directly or indirectly to the ground, or finding direct or indirect support on the ground

**1.32 underground infrastructure**

underground infrastructural facilities such as cables, pipes and sewers

**1.33 zoning area**

A geometrically indicated area with one single use.

**1.34 zoning boundary**

Boundary of the zoning area.



## **Artikel 2    Measurements**

### **2.1    Measurement regulations**

- a.    The building height of a building (height of roof ridge)

From level to roof ridge of a building or structure with the exception of minor building elements, such as chimneys, aerials, and building elements of a similar nature.

- b.    The surface of a building or structure

Between the exterior frontage and /or the heart of the division walls, projected downwards on the average level of the finished building terrain on site of the building or structure.

- c.    The distance to the parcel border

The shortest distance from any part of a building or structure to the plot border.

### **2.2    Building elements not to be considered for measurements**

For measurements the elements mentioned below are not considered:

- a.    Porches, steps, stairs (staircases), galleries, ramps, foundations, balconies, bay windows, conservatories and corridors belonging to the buildings and structures, only if these do not exceed more than 1.5 m;  
b.    Other minor building elements, only if these do not exceed more than 1 m.

### **2.3    Deviating surface measurements**

When applying the plan requirements for building and constructing within zone areas, deviations resulting from differing measurements are not considered, only if these must be interpreted as being of minor importance, in view of type and dimension of, because of these, allowed or to be allowed buildings and structures.

By measurement deviations is meant: a present difference, due to the actual structure of a terrain, between the course of the lines in the field and the indicated zoning border.

### Artikel 3 General duty of care

Anyone who knows or can reasonably suspect that his or her activity has or may have adverse consequences for the living environment, cultural history, archeology and nature is obliged:

- a. to take all measures to prevent those consequences that reasonably can be asked of the initiator;
- b. when those consequences cannot be prevented: to limit or reverse those consequences as much as possible;
- c. if those consequences cannot be sufficiently limited, to refrain from that activity if this can reasonably be required of the initiator;
- d. if values of general interest are observed during the execution of an activity, for example values in the field of archaeology, cultural heritage or nature that were previously unknown, the initiator must report these values to the Executive Council and consult with the Executive Council to see how these values can be maintained or under what conditions the activities can be continued.

## Hoofdstuk 2 Zoning regulations

### Artikel 4 Business

#### 4.1 Zoning definitions

- a. The zoning area 'Business' is to be used for **small** businesses and the dwellings connected to the businesses. Present businesses listed in **higher types** are also allowed. **Tourism is not allowed.**
- b. The indication 'water company' also allow these grounds to be used for the production, distribution and supply of drinking water;
- c. The indication 'energy company' also allow these grounds to be used for power generation;
- d. The indication 'motor fuels selling point' also allows these grounds to be used for selling points for motor fuels;
- e. On these grounds retail is allowed, only if it results directly from the production process and if it is secondary to the production process;

#### 4.2 Building regulations

Buildings and structures on the zoning area 'Business' are restricted to certain regulations. These are:

##### 4.2.1 Buildings

- a. A building shall have:
  1. A maximum building height as is registered in the indication 'maximum building height (m)';
  2. A maximum of two floors (either with or without a pitched roof);
  3. An indicated location of at least 3 m from the plot boundary;
  4. An indicated location of at least 7 m from a road, or if there is no road, at least 5 m from the plot boundary to the front of the building.
- b. A house adjacent to the business is allowed:
  1. Only if there is no other house with that business at present, in other words: only 1 house per business is allowed; and
  2. A surface not exceeding 100 m<sup>2</sup>;
- c. The total built-up area may not exceed the maximum building percentage of the plot as registered in the indication 'maximum percentage built-up area'.

##### 4.2.2 Structures

- a. A fence to demarcate plots and terrains shall have:
  1. A building height of a maximum of 2 m if at the back of a building;
  2. A building height of a maximum of 2 m if next to a building and not be closer to a road than the frontage of the building facing the road or the extension of this frontage;
  3. A building height of a maximum of 1.5 m if between a road and the frontage of a building or the extension of a building;
- b. Other structures shall have a building height of a maximum of 5 m.

#### 4.3 Exemption from building regulations

##### 4.3.1 Exceptions

In certain cases it is allowed to build:

- a. Higher than the indicated building height;

- b. Closer to the plot boundary or to a road than the distances indicated.

#### 4.3.2 *Conditions*

Exemption to enable the above mentioned exceptions has to be authorized by the Executive Council. The Executive Council is only able to authorize exemption, if no disproportional damage is done to:

- a. The street- and townscape;
- b. The environmental situation;
- c. Traffic safety
- d. The possibilities for use of or the views from the adjacent grounds.

The exemption for higher building may not result in a building height of more than 3 m over the maximum allowed building height.

### 4.4 **Exemption for businesses**

#### 4.4.1 *Exceptions*

If a business is not listed as small business or is not mentioned in the Establishment and Activity Decree BES, under certain conditions it may still be allowed. This requires exemption authorization by the Executive Council. This exemption may only be issued if a survey proves that the type and the impact on the environment of the business concerned is to be considered equal to that of a businesses listed as a type I or II Establishment in the in the Establishment and Activity Decree BES.

### 4.5 **Amendment**

#### 4.5.1 *Revoking an indication*

The Executive Council is allowed to amend a zone and revoke the indications for 'selling point for motor fuels', 'water company', 'energy company', if the activities on site have terminated and the Executive Council considers these activities to be undesirable to protect the qualities and the possible utilization of the adjacent areas.

#### *4.5.2 Residence*

The Executive Council is allowed to amend the zoning 'Business' in the zone 'Residential Area - 1'. The variance may be authorized only if the business activities concerned have terminated, adjacent businesses are not hindered in their activities by the variance and sufficient parking facilities are created on site. After amendment, the building and utilization regulations of the zoning concerned apply.

#### *4.5.3 Procedure*

The Executive Council only adopts a variance of the spatial development plan after a mandatory period of fifteen days during which a draft for the variance has been made available for public inspection with the opportunity to submit written objections and appeals. The dates when the variance is made available for public inspection are announced well in advance in daily newspapers or other regular periodicals published in Dutch and in English distributed on the island.

## Artikel 5 Business- Waste Management

### 5.1 Zoning definitions

- a. The zoning area 'Business- Waste Management' is to be used for buildings and terrains for depositing, storing and processing of waste and buildings and installations for generating renewable energy.

### 5.2 Building regulations

Building in the zoning 'Business- Waste Management' is restricted by certain regulations. These are:

#### 5.2.1 Buildings

- a. A building shall have:
1. A maximum building height as is registered in the indication 'maximum building height (m)';
  2. A maximum of two floors (either with or without a pitched roof);
- b. The total building surface may not exceed the percentage registered in the indication 'maximum building percentage' of the zoning area;

#### 5.2.2 Structures

- a. Fences demarcating plots and terrains shall have a maximum building height of 2 m;
- b. Structures shall have a maximum building height of 10 m.

### 5.3 Exemption from building regulations

#### 5.3.1 Exceptions

In certain cases it is allowed to build higher than the indicated building height.

#### 5.3.2 Conditions

Exemption to enable the above mentioned exception has to be authorized by the Executive Council. The Executive Council is only able to authorize exemption, if no disproportional damage is done to:

- a. The environmental situation;
- b. The possibilities for use of or the views from the adjacent grounds.

The exemption for higher building may not result in a building height of more than 3 m over the maximum allowed building height.

## **Artikel 6 Business - Port**

### **6.1 Zoning definitions**

The zoning area 'Business – Port' is to be used for terrains and buildings for a trading port and a marina, fishery, hospitality and the utilities associated with the port functions, such as storage, retail, offices and businesses.

### **6.2 Building regulations**

Building in the zoning area 'Business - Port' is restricted by certain regulations. These are:

#### *6.2.1 Buildings*

- a. A building shall have:
  1. A maximum building height as is registered in the indication 'maximum building height (m)';
  2. A maximum of two floors (either with or without a pitched roof);
- b. The total building surface may not exceed the percentage registered in the indication 'maximum building percentage' of the zoning area;

#### *6.2.2 Structures*

- a. Fences demarcating plots and terrains shall have a maximum building height of 2 m;
- b. Structures shall have a maximum building height of 10 m.

### **6.3 Exemption from building regulations**

#### *6.3.1 Exceptions*

In certain cases it is allowed to build higher than the indicated building height.

#### *6.3.2 Conditions*

Exemption to enable the above mentioned exception has to be authorized by the Executive Council. The Executive Council is only able to authorize exemption, if no disproportional damage is done to:

- a. The environmental situation;
- b. The possibilities for use of or the views from the adjacent grounds.

The exemption for higher building may not result in a building height of more than 3 m over the maximum allowed building height.

## Artikel 7 Business - Oil

### 7.1 Zoning definitions

- a. The zoning area 'Business – Oil' is to be used for buildings, terrains, a jetty and storage tanks for storing, processing and distributing oil products and buildings and installations for generating renewable energy.

### 7.2 Building regulations

Building in the zoning area 'Business - Oil' is restricted by certain regulations. These are:

#### 7.2.1 Buildings

- a. A building shall have:
1. A maximum building height as is registered in the indication 'maximum building height (m)';
  2. A maximum of two floors (either with or without a pitched roof);
  3. A storage tank may not exceed a building height of 31 m;
- b. The total building surface may not exceed the percentage registered in the indication 'maximum building percentage' of the zoning area.

#### 7.2.2 Structures

- a. Fences demarcating plots and terrains shall have a maximum building height of 2 m;
- b. Structures may shall a maximum building height of 12 m.

### 7.3 Exemption from building regulations

#### 7.3.1 Exceptions

In certain cases it is allowed to build higher than the indicated building height.

#### 7.3.2 Conditions

Exemption to enable the above mentioned exception has to be authorized by the Executive Council. The Executive Council is only able to authorize exemption, if no disproportional damage is done to:

- a. The environmental situation;
- b. The possibilities for use of or the views from the adjacent grounds.

The exemption for higher building may not result in a building height of more than 3 m over the maximum allowed building height.



## Artikel 8 Business Area

### 8.1 Zoning definitions

- a. The zoning area 'Business Area' is to be used for light businesses, buildings and installations for generating renewable energy, service buildings, offices, technical schools and buildings for storage and transshipment and waste transport, cable- and TV-stations, radio stations and restaurants. Present businesses of a higher type are also allowed. Tourism is not allowed.
- b. The indication 'storage' also allows these grounds to be used for storage by the Public Entity of St. Eustatius with associated offices and government functions;

### 8.2 Building regulations

Building in the zoning area Business Area" is restricted by certain regulations. These are:

#### 8.2.1 Buildings

- a. A building shall have:
  1. A maximum building height as is registered in the indication 'maximum building height (m)';
  2. A maximum of two floors (either with or without a pitched roof);
  3. To be built at least 3 m from the plot boundary;
  4. To be built at least 7 m from a road, or if there is no road, at least 5 m from the plot boundary to the front of the building
- b. The total building surface may not exceed the percentage registered in the indication 'maximum building percentage' of the zoning area;

#### 8.2.2 Structures

- a. A fence to demarcate plots and terrains shall have:
  1. A building height of a maximum of 2 m if at the back of a building;
  2. A building height of a maximum of 2 m if next to a building and not be closer to a road than the frontage of the building facing the road or the extension of this frontage;
  3. A building height of a maximum of 1.5 m if between a road and the frontage of a building or the extension of a building;
- b. other structures shall have a building height of a maximum of 5 m.

### 8.3 Exemption from building regulations

#### 8.3.1 Exceptions

In certain cases it is allowed to build:

- a. Higher than the indicated building height;
- b. Closer to the plot boundary or to a road than the distances indicated.

#### 8.3.2 Conditions

Exemption to enable the above mentioned exceptions has to be authorized by the Executive Council. The Executive Council is only able to authorize exemption, if no disproportional damage is done to:

- a. The street- and townscape;
- b. The environmental situation;

- c. Traffic safety
- d. The possibilities for use of or the views from the adjacent grounds.

The exemption for higher building may not result in a building height of more than 3 m over the maximum allowed building height.

## **8.4 Vrijstelling bedrijven**

### *8.4.1 Exceptions*

If a business is not listed as small business or is not mentioned in the Establishment and Activity Decree BES, under certain conditions it may still be allowed. This requires exemption authorization by the Executive Council. This exemption may only be issued if a survey proves that the type and the impact on the environment of the business concerned is to be considered equal to that of a businesses listed as a type I or II Establishment in the in the Establishment and Activity Decree BES.

## Artikel 9 Center

### 9.1 Zoning definitions

The zoning area 'Center' is to be used for retail, bed & breakfasts, buildings for recreational stay for 10 rooms or less, pensions, restaurants, bars, snack bars, cafés, service buildings, offices, social, cultural, religious and educational utilities, government buildings, health centers, museums and housing;

### 9.2 Building regulations

Building in the zoning area 'Center' is restricted by certain regulations. These are:

#### 9.2.1 Buildings

- a. A building shall have:
  1. A maximum building height as is registered in the indication 'maximum building height (m)' taking into consideration that the maximum building height for buildings within the double zone 'Value – Urban Conservation Area' is 10 m, if the building plot is larger than 1,000 m<sup>2</sup>;
  2. A maximum of two floors;
  3. A pitched roof;
  4. To be built at least 2.5 m from the plot boundary;
  5. To be built at least 2.5 m from a road;
  6. In the case it concerns a hotel, a surface of maximum 300 m<sup>2</sup>;
- b. The total building surface may not exceed the percentage registered in the indication 'maximum building percentage' of the zoning area.

#### 9.2.2 Structures

- a. A fence to demarcate plots and terrains shall have:
  1. A building height of a maximum of 2 m if at the back of a building;
  2. A building height of a maximum of 2 m if next to a building and not be closer to a road than the frontage of the building facing the road or the extension of this frontage;
  3. A building height of a maximum of 1 m if between a road and the frontage of a building or the extension of a building;
- b. other structures than fences shall have a building height of a maximum of 5 m.

### 9.3 Exemption from building regulations

#### 9.3.1 Exceptions

In certain cases a building is allowed:

- a. to be covered with a flat roof;
- b. to be built higher than the indicated building height;
- c. to be built closer to the plot boundary or to a road than mentioned in the indicated distances.

### 9.3.2 *Conditions*

Exemption to enable the above mentioned exceptions has to be authorized by the Executive Council. The Executive Council is only able to authorize exemption, if no disproportional damage is done to:

- a. The street- and townscape;
- b. The environmental situation;
- c. Traffic safety
- d. The possibilities for use of or the views from the adjacent grounds.

The exemption for higher building may not result in a building height of more than 3 m over the maximum allowed building height.

## Artikel 10 Mixed Use - Business / Agriculture / Energy

### 10.1 Zoning definitions

The zoning area 'Mixed Use - Business / Agriculture / Energy' is to be used for agricultural businesses (agriculture, live stock keeping, horticulture and aquaculture), for light businesses, buildings and terrains for airport operations, service buildings and offices, buildings and terrains for depositing, storing and processing of waste, for buildings and installations for generating renewable energy and sport activities including a dragracetrack.

### 10.2 Building regulations

Building in the zoning area 'Mixed Use' Mixed Use - Business / Agriculture / Energy' is restricted by certain regulations. These are:

#### 10.2.1 Buildings

- a. A building shall have:
  1. A maximum building height as is registered in the indication 'maximum building height (m)';
  2. A maximum of two floors (either with or without a pitched roof);
  3. To be built at least 5 m from the plot side or back boundary and to be built at least 5 m from the front boundary;
- b. The total building surface may not exceed the percentage registered in the indication 'maximum building percentage' of the zoning area;

#### 10.2.2 Structures

- a. A fence to demarcate plots and terrains shall have a building height of a maximum of 2 m;
- b. other structures than fences shall have a building height of a maximum of 5 m.

#### 10.2.3 Prohibition to build

The construction of buildings is only allowed after the Executive Council has adopted a master plan for the area's use.

## Artikel 11 Mixed Use - Lower Town

### 11.1 Zoning definitions

- a. The zoning area 'Mixed Use - Lower Town' is to be used for beaches, diving schools, restaurants, hotels, pensions, overnight recreational apartment complexes, resorts, cafés, snack bars, bars, shops, markets and rental businesses for recreational equipment and recreational facilities;
- b. One corporate house per business is allowed for the above mentioned functions.

### 11.2 Building regulations

Building in the zoning area 'Mixed Use - Lower Town' is restricted by certain regulations. These are:

#### 11.2.1 Buildings

- a. A building shall have:
  1. A maximum building height as is registered in the indication 'maximum building height (m)';
  2. A maximum of two floors (either with or without a pitched roof);
  3. To be built at least 3 m from the plot boundary;
  4. To be built at least 3 m from the road;
  5. Not to be built on a location or in a way that obstructs the sea view from a neighboring recreational building;
  6. Not to be built on a location or in a way that obstructs public access of beaches;
- b. The total built-up surface may not exceed the 'maximum building percentage' for the zoning area;
- c. the construction of new hotels and resorts is only allowed if a research shows that it benefits high-quality tourism and the economy and research shows that the existing landscape, natural and ecological values and qualities are not disproportionately affected, the initiative is well integrated into the landscape, the initiative for which is being amended is financially and economically feasible and that the storage and drainage of rainwater is handled properly.

#### 11.2.2 Structures

- a. A fence to demarcate plots and terrains shall have a building height of a maximum of 2 m;
- b. A retaining wall shall have a building height of a maximum building height of 1 m;
- c. other structures than fences shall have a building height of a maximum of 5 m.

### 11.3 Further requirements

The Executive Council is allowed to impose further requirements on the position, the size and the design of a dwelling on a plot, in view of the image, the quality and the public nature of the recreational area.

### 11.4 Exemption from building regulations

#### 11.4.1 Exceptions

In certain cases a building is allowed:

- a. to be covered with a flat roof;
- b. to be built higher than the indicated building height;
- c. to be built closer to the plot boundary or to a road than mentioned in the indicated distances;
- d. to build in such a way that obstructs the sea view from a neighboring recreational building.

It is also allowed to build higher retaining walls.

#### 11.4.2 Conditions

Exemption to enable the above mentioned exceptions has to be authorized by the Executive Council. The Executive Council is only able to authorize exemption, if:

- a. the exemptions under a, b and c will not result in disproportional damage to:
  1. the quality of the recreational area;
  2. the environmental situation;
  3. the possible utilization and view from adjacent grounds;
- b. exemption for building as registered under d. does not result in negative effects, which has to be evident in an agreement between the parties concerned (applicant and the owner of the recreational building who's sea view may be obstructed);
- c. the retaining walls have the correct form, structure and strength.

The exemption for higher building may not result in a building height of more than 3 m over the maximum allowed building height.

#### 11.5 Utilization regulation

To prevent situations in which the holiday homes and apartments are being used for permanent occupation, this specific regulations explicitly implies that the holiday homes, the resorts, the hotels and the recreational apartment complexes are not allowed for permanent occupation, except the spaces occupied by the owner or manager resides to oversee the operation of the resort, hotel or apartment complex.

## Artikel 12 Public Interest Use

### 12.1 Zoning definitions

- a. The zoning area 'Public Interest Use' is to be used for buildings for social, cultural, religious and educational utilities, government buildings and buildings for public service and health care;
- b. In areas indicated as 'cemetery' only cemeteries are allowed;

### 12.2 Building regulations

Building in the zoning area 'Public Interest Use' is restricted to certain regulations. These are:

#### 12.2.1 Buildings

- a. A building shall have:
  1. A maximum building height as is registered in the indication 'maximum building height (m)';
  2. A maximum of two floors (either with or without a pitched roof);
  3. To be built at least 2.5 m from the plot boundary;
  4. To be built at least 5 m from a road; or if there is no road, at least 5 m from the plot boundary to the front of the building;
- b. The total building surface may not exceed the percentage registered in the indication 'maximum building percentage' of the zoning area;
- c. Where the area is indicated for 'cemetery', a building is allowed:
  1. A maximum building height of 4 m;
  2. A maximum surface of 30 m<sup>2</sup>;

#### 12.2.2 Structures

- a. A fence to demarcate plots and terrains shall have:
  1. A building height of a maximum of 2 m if at the back of a building;
  2. A building height of a maximum of 2 m if next to a building and not be closer to a road than the frontage of the building facing the road or the extension of this frontage;
  3. A building height of a maximum of 1.5 m if between a road and the frontage of a building or the extension of a building;
  4. other structures than fences shall have a building height of a maximum of 5 m.

### 12.3 Exemption from building regulations

#### 12.3.1 Exceptions

In certain cases a building is allowed:

- a. to be built higher than the indicated building height;
- b. to be built closer to the plot boundary or to a road than mentioned in the indicated distances.

#### 12.3.2 Conditions

Exemption to enable the above mentioned exceptions has to be authorized by the Executive Council. The Executive Council is only able to authorize exemption, if no disproportional damage is done to:

- a. The street- and townscape;
- b. The environmental situation;



- c. Traffic safety
- d. The possibilities for use of or the views from the adjacent grounds.

The exemption for higher building may not result in a building height of more than 3 m over the maximum allowed building height.

## **12.4 Amendment**

### *12.4.1 Residence*

The Executive Council is allowed to amend the zoning 'Public Interest Use' in the zone 'Residential Area - 1'. A variance for this purpose may be authorized only if the activities concerned have terminated, adjacent businesses are not hindered in their activities by the variance and sufficient parking facilities are created on site. After amendment, the building and utilization regulations of the zone 'Residential Area - 1' apply.

### *12.4.2 Procedure*

The Executive Council only adopts a variance of the spatial development plan after a mandatory period of fifteen days during which a draft for the variance has been made available for public inspection with the opportunity to submit written objections and appeals. The dates when the variance is made available for public inspection are announced well in advance in daily newspapers or other regular periodicals published in Dutch and in English distributed on the island.

## **Artikel 13 Natural Area and Landscape**

### **13.1 Zoning definitions**

- a. The zoning area 'Natural Area and Landscape' is to be used for maintenance, restoration, development and management of the landscape, natural and ecological values and for agricultural activities (horticulture, live stock keeping and agriculture);
- b. Recreative activiteiten in de vorm van wandelen, fietsen en picknicken zijn toegestaan;
- c. The grounds indicated 'botanical garden' are also zoned for a botanical nature garden and for playing and recreational facilities.

### **13.2 Building regulations**

Building in the zoning area 'Natural Area and Landscape' is restricted by certain regulations. These are:

#### *13.2.1 Buildings*

- a. A building shall have:
  1. A maximum surface of 50 m<sup>2</sup>;
  2. A maximum building height of 4 m;
  3. A maximum of two floors (either with or without a pitched roof);
- b. The grounds indicated 'botanical garden' also allow service buildings for a natural garden and educational facilities and a house; these buildings are allowed a maximum building height of 5 m and a maximum total surface of 150 m<sup>2</sup>;

#### *13.2.2 Structures*

Structures shall have a building height of a maximum of 5 m.

### **13.3 Amendment**

#### *13.3.1 School gardens*

The Executive Council is allowed to amend the zoning for the construction of school gardens. The variance may only be executed on the grounds in the immediate vicinity of schools and only if these schools dispose of these grounds. On the grounds concerned only small buildings for management and maintenance of the school gardens are allowed to be built. The maximum building height of these buildings is 4 m and the maximum surface is 30 m<sup>2</sup>.

#### *13.3.2 Sports fields*

The Executive Council is allowed to amend the zoning for the construction of sports fields. The variance may only be executed on the grounds in the immediate vicinity of Oranjestad and only if these grounds may be disposed of. On the grounds concerned changing facilities, canteens and clubhouses are allowed to be built. The maximum building height of these buildings is 5 m and the maximum surface is 200 m<sup>2</sup>.

#### *13.3.3 Procedure*

The Executive Council only adopts a variance of the spatial development plan after a mandatory period of fifteen days during which a draft for the variance has been made available for public inspection with the opportunity to submit written objections and appeals. The dates when the variance is made available for public inspection are announced well in advance in daily newspapers or other regular periodicals published in Dutch and in English distributed on the island.

## **Artikel 14 Natural Area - Conservation Area**

### **14.1 Zoning definitions**

- a. The zoning area 'Natural Area – Conservation Area' is to be used for maintenance, restoration, development and management of the landscape, natural and ecological values;
- b. Recreational activities such as walking, cycling and picnicking are allowed.

### **14.2 Building regulations**

Building in the zoning area 'Natural Area - Conservation Area' is restricted by certain regulations. These are:

#### *14.2.1 Buildings*

- a. A building shall have:
  1. A maximum surface of 50 m<sup>2</sup>;
  2. A maximum building height of 4 m;

#### *14.2.2 Structures*

Structures shall have a building height of a maximum of 5 m.

## Artikel 15 Natural Area - 1

### 15.1 Zoning definitions

- a. The zoning area 'Natural Area - 1' is to be used for maintenance, restoration, development and management of the landscape, natural and ecological values and housing;
- b. Recreational activities such as walking, cycling and picnicking are allowed;

### 15.2 Building regulations

Building in the zoning area 'Natural Area - 1' is restricted by certain regulations. These are:

#### 15.2.1 Buildings

- a. A house shall have:
  1. A maximum building height as is registered in the indication 'maximum building height (m)';
  2. A maximum of two floors (either with or without a pitched roof);
  3. To be built at least 200 m from the main road;
  4. To be built at least 150 m from neighboring houses;
  5. To be built at least 50 m from the plot boundary;
  6. A maximum surface of 500 m<sup>2</sup>;
  7. Annex buildings to the house with a total maximum surface of 50 m<sup>2</sup>;
  8. To be built on a terrain of at least 16 acres;
- b. when realizing a house, the plot must remain planted for the most part with native plants. The green image of the Quill may not be affected by the construction of the house and the layout of the plot;
- c. Buildings for management, maintenance, restoration and development of the landscape, natural end ecological values or for agricultural activities are allowed a maximum surface of 50 m<sup>2</sup> and a maximum building height of 4 m.

#### 15.2.2 Structures

- a. A fence to demarcate plots and terrains shall have:
  1. A building height of a maximum of 2 m if at the back of a building;
  2. A building height of a maximum of 2 m if next to a building and not be closer to a road than the frontage of the building facing the road or the extension of this frontage;
  3. A building height of a maximum of 1.5 m if between a road and the frontage of a building or the extension of a building;
- b. other structures than fences shall have a building height of a maximum of 5 m.

### **15.3 Further requirements**

The Executive Council is allowed to impose further requirements on the position of a dwelling on a plot, in view of present landscape, natural, ecological and cultural heritage values and erosion prevention.

### **15.4 Amendment**

#### *15.4.1 Residence*

The Executive Council may amend the zoning and allow for – derogating from the building regulations – houses to be built which are stated explicitly in ground lease deeds or purchase agreements by private parties dated before the draft spatial development plan 2011 was made available for public inspection. The maximum building height of these houses is 10 m. The houses have to be built with a maximum of two floors and either or not with a pitched roof. The maximum surface of a house is 500 m<sup>2</sup>. These houses do not require a plot size of 16 acres.

#### *15.4.2 Procedure*

Prior to adopting a variance of the spatial development plan, a careful procedure is observed. The Executive Council only adopts a variance of the spatial development plan after a mandatory period of fifteen days during which a draft for the variance has been made available for public inspection with the opportunity to submit written objections and appeals. The dates when the variance is made available for public inspection are announced well in advance in daily newspapers or other regular periodicals published in Dutch and in English distributed on the island.

## Artikel 16 Natural Area - 2

### 16.1 Bestemmingsomschrijving

- a. The zoning area 'Natural Area - 2' is to be used for maintenance, restoration, development and management of the landscape, natural and ecological values and housing;
- b. Recreational activities such as walking, cycling and picnicking are allowed;

### 16.2 Building regulations

Building in the zoning area 'Natural Area - 2' is restricted by certain regulations. These are:

#### 16.2.1 Buildings

- a. A house shall have:
  1. A maximum building height as is registered in the indication 'maximum building height (m)';
  2. A maximum of two floors (either with or without a pitched roof);
  3. To be built at least 100 m from neighboring houses;
  4. To be built at least 30 m from the plot boundary;
  5. A maximum surface of 500 m<sup>2</sup>;
  6. Annex buildings to the house with a total maximum surface of 50 m<sup>2</sup>;
  7. To be built on a terrain of at least 11 acres;
- b. when realizing a house, the plot must remain planted for the most part with native plants. The green image of the Quill may not be affected by the construction of the house and the layout of the plot;
- c. Buildings for management, maintenance, restoration and development of the landscape, natural end ecological values or for agricultural activities are allowed a maximum surface of 50 m<sup>2</sup> and a maximum building height of 4 m;
- d. the indication 'recreational stay' allows construction in accordance with an allotment plan adopted by the Executive Council as referred to in article 31.1. It must be demonstrated that the development contributes to high-quality tourism and research must have been carried out into the spatial and economic effects.

#### 16.2.2 Structures

- a. A fence to demarcate plots and terrains shall have:
  1. A building height of a maximum of 2 m if at the back of a building;
  2. A building height of a maximum of 2 m if next to a building and not be closer to a road than the frontage of the building facing the road or the extension of this frontage;
  3. A building height of a maximum of 1.5 m if between a road and the frontage of a building or the extension of a building;
- b. other structures than fences shall have a building height of a maximum of 5 m.

### 16.3 Further requirements

The Executive Council is allowed to impose further requirements on the position of a dwelling on a plot, in view of present landscape, natural, ecological and cultural heritage values and erosion prevention.

### 16.4 Amendment

#### 16.4.1 Residence

The Executive Council may amend the zoning and allow for – derogating from the building regulations – houses to be built which are stated explicitly in ground lease deeds or purchase agreements by private parties dated before the draft spatial development plan 2011 was made available for public inspection. The maximum building height of these houses is 10 m. The houses have to be built with a maximum of two floors and either or not with a pitched roof. The maximum surface of a house is 500 m<sup>2</sup>. These houses do not require a plot size of 11 acre.

#### *16.4.2 Procedure*

Prior to adopting a variance of the spatial development plan, a careful procedure is observed. The Executive Council only adopts a variance of the spatial development plan after a mandatory period of fifteen days during which a draft for the variance has been made available for public inspection with the opportunity to submit written objections and appeals. The dates when the variance is made available for public inspection are announced well in advance in daily newspapers or other regular periodicals published in Dutch and in English distributed on the island.



## Artikel 17 Mixed Use - Natural Area, Agriculture, Residential and Recreation

### 17.1 Zoning definitions

- a. The zoning area 'Mixed Use - Natural Area, Agriculture, Residential and Recreation' is to be used for maintenance, restoration, development and management of the landscape, natural and ecological values, for agricultural activities (horticulture, live stock keeping and agriculture) and housing;
- a. The grounds are also zoned for hotels, recreational apartment complexes, resorts, pensions, bed & breakfasts, holiday homes and the corporate houses for overnight recreational facility businesses and recreational activities such as walking, cycling and picnicking;

### 17.2 Building regulations

Building in the zoning area 'Mixed Use - Natural Area, Agriculture, Residential and Recreation' is restricted by certain regulations. These are:

#### 17.2.1 Buildings

- a. A building shall have:
  1. A maximum building height as is registered in the indication 'maximum building height (m)';
  2. A maximum of two floors (either with or without a pitched roof);
  3. A maximum surface of 500 m<sup>2</sup>;
  4. Annex buildings to the house with a total maximum surface of 50 m<sup>2</sup>;
  5. To be built on a terrain of at least 3,000 m<sup>2</sup>;
- b. Buildings for management, maintenance, restoration and development of the landscape, natural end ecological values or for agricultural activities are allowed a maximum surface of 50 m<sup>2</sup> and a maximum building height of 4 m;
- c. Deviating from the regulations a for the construction of a house it is allowed to maintain smaller terrain surfaces than indicated in a sub 5 if the plot is part of an allotment plan adopted by the Executive Council as referred to in artikel 31.1, the terrain is directly adjacent to the zoning area Residential Area - 1, to the zoning area Traffic along the zoning area Residential Area - 1 or to an allotment plan for housing;
- d. the construction of new hotels and resorts is only allowed if a research shows that it benefits high-quality tourism and the economy and research shows that the existing landscape, natural and ecological values and qualities are not disproportionately affected, the initiative is well integrated into the landscape, the initiative for which is being amended is financially and economically feasible and that the storage and drainage of rainwater is handled properly.

#### 17.2.2 Structures

- a. A fence to demarcate plots and terrains shall have:
  1. A building height of a maximum of 2 m if at the back of a building;
  2. A building height of a maximum of 2 m if next to a building and not be closer to a road than the frontage of the building facing the road or the extension of this frontage;
  3. A building height of a maximum of 1.5 m if between a road and the frontage of a building or the extension of a building;
- b. structures other than fences shall have a building height of a maximum of 5 m.

### *17.2.3 Further requirements*

The Executive Council is allowed to impose further requirements on the position of a dwelling on a plot, in view of present landscape, natural, ecological and cultural heritage values

## **17.3 Amendment**

### *17.3.1 Residence*

The Executive Council may amend the zoning and allow for – derogating from the building regulations – houses to be built which are stated explicitly in ground lease deeds or purchase agreements by private parties dated before the draft spatial development plan 2011 was made available for public inspection. The maximum building height of these houses is 10 m. The houses have to be built with a maximum of two floors and either or not with a pitched roof. The maximum surface of a house is 500 m<sup>2</sup>. These houses do not require a plot size of 3.000 m<sup>2</sup>.

### *17.3.2 Procedure*

Prior to adopting a variance of the spatial development plan, a careful procedure is observed. The Executive Council only adopts a variance of the spatial development plan after a mandatory period of fifteen days during which a draft for the variance has been made available for public inspection with the opportunity to submit written objections and appeals. The dates when the variance is made available for public inspection are announced well in advance in daily newspapers or other regular periodicals published in Dutch and in English distributed on the island.

## Artikel 18 Mixed Use - Natural Area, Agriculture and Residential

### 18.1 Building regulations

- a. The zoning area 'Mixed Use - Natural Area, Agriculture and Residential' is to be used for maintenance, restoration, development and management of the landscape, natural and ecological values, for agricultural activities (horticulture, live stock keeping and agriculture) and housing;
- b. Recreational activities such as walking, cycling and picnicking are allowed.

### 18.2 Building regulations

Building in the zoning area 'Mixed Use - Natural Area, Agriculture and Residential' is restricted by certain regulations. These are:

#### 18.2.1 Buildings

- a. A building shall have:
  1. A maximum building height as is registered in the indication 'maximum building height (m)';
  2. A maximum of two floors (either with or without a pitched roof);
  3. A maximum surface of 500 m<sup>2</sup>;
  4. Annex buildings to the house with a total maximum surface of 50 m<sup>2</sup>;
  5. To be built on a terrain of at least 3,000 m<sup>2</sup>.
- a. Buildings for management, maintenance, restoration and development of the landscape, natural end ecological values or for agricultural activities are allowed a maximum surface of 50 m<sup>2</sup> and a maximum building height of 4 m;
- b. Deviating from the regulations a for the construction of a house it is allowed to maintain smaller terrain surfaces than indicated in a sub 5 if the plot is part of an allotment plan adopted by the Executive Council as referred to in artikel 31.1, the terrain is directly adjacent to the zoning area Residential Area - 1, to the zoning area Traffic along the zoning area Residential Area - 1 or to an allotment plan for housing;

#### 18.2.2 Structures

- a. A fence to demarcate plots and terrains shall have:
  1. A building height of a maximum of 2 m if at the back of a building;
  2. A building height of a maximum of 2 m if next to a building and not be closer to a road than the frontage of the building facing the road or the extension of this frontage;
  3. A building height of a maximum of 1.5 m if between a road and the frontage of a building or the extension of a building;
- b. other structures than fences shall have a building height of a maximum of 5 m.

### **18.3 Further requirements**

The Executive Council is allowed to impose further requirements on the position of a dwelling on a plot, in view of present landscape, natural, ecological and cultural heritage values

### **18.4 Amendment**

#### *18.4.1 Residence*

The Executive Council may amend the zoning and allow for – derogating from the building regulations – houses to be built which are stated explicitly in ground lease deeds or purchase agreements by private parties dated before the draft spatial development plan 2011 was made available for public inspection. The maximum building height of these houses is 10 m. The houses have to be built with a maximum of two floors and either or not with a pitched roof. The maximum surface of a house is 500 m<sup>2</sup>. These houses do not require a plot size of 3.000 m<sup>2</sup>.

#### *18.4.2 Procedure*

Prior to adopting a variance of the spatial development plan, a careful procedure is observed. The Executive Council only adopts a variance of the spatial development plan after a mandatory period of fifteen days during which a draft for the variance has been made available for public inspection with the opportunity to submit written objections and appeals. The dates when the variance is made available for public inspection are announced well in advance in daily newspapers or other regular periodicals published in Dutch and in English distributed on the island.

## **Artikel 19 Recreational stay**

### **19.1 Zoning definitions**

- a. The zoning area 'Recreational stay' is to be used for hotels, resorts, restaurants and associated functions;
- b. The indication 'residential' also zones these grounds for houses;
- c. One corporate house per business is allowed for the above mentioned functions

### **19.2 Building regulations**

Building in the zoning area 'Recreational stay' is restricted by certain regulations. These are:

#### *19.2.1 Buildings*

- a. A building may:
  1. have an overall height that does not exceed 10 m;
  2. consist of maximum 2 building floors (with or without a roof);
  3. be no larger than 500 m<sup>2</sup>;
  4. be provided with separate buildings belonging to the dwelling with a total surface area of 50 m<sup>2</sup>;
  5. be built no less than 3 m from a plot boundary;
  6. be built no less than 3 m from a road;
  7. not be built in a location and manner that obstructs the view from another residential recreation building on the sea; and/or
  8. not be built in a location or manner that would impede public access to a beach.
- b. The total surface area of the buildings may not exceed the percentage of the designated area indicated in the 'maximum construction percentage' indication.
- c. The total number of dwellings may not exceed 50.
- d. The total number of recreational units may not exceed 200.
- e. A building for the management, maintenance, restoration and development of the landscape, natural and ecological values or for the benefit of agricultural activities may not have a larger area than 50 m<sup>2</sup> nor a building height higher than 4 m.

#### *19.2.2 Structures*

- a. A boundary and terrain demarcation may have a maximum height of 2 m.
- b. A retaining wall may have a maximum building height of 1 m.
- c. Any other non-building may have a maximum height of 5 m.

### **19.3 Further requirements**

The Executive Council is authorised to impose further requirements on the location, size and design of a building. The council can do this with a view to the image, quality, values and qualities of the Marine Park and the publicly accessible character of the recreational area.

### **19.4 Exemption from the building regulations**

#### *19.4.1 Exceptions*

- a. In special cases it is possible to have a building:
  1. with a flat roof;
  2. that is built higher than the indicated building height;

3. that is closer to a plot boundary, or to build a road that is closer than the indicated distances; and/or
  4. that is built in such a way that the sea view from a residential recreation building is hindered.
- b. In some cases, higher retaining walls can be built.

#### *19.4.2 Conditions*

Exemption to enable the above mentioned exceptions has to be authorized by the Executive Council. The Executive Council is only able to authorize exemption, if :

- a. In the exemptions referred to under subsections a, b and c, no material harm will be done to:
  1. the quality of the recreational area;
  2. the environmental situation; and
  3. the usage possibilities or the view of the adjacent grounds.
- b. With the exemption under subsection d, no negative consequences of the construction are to be expected, which must be apparent from agreement between the parties involved (the applicant and the person whose unobstructed sea view is lost due to the erection of a residential recreation building).
- c. The retaining walls show that they have the correct shape, construction and strength.

The exemption for increasing building height may not lead to an overall height of more than 3 m above the maximum permitted building height.

## **Artikel 20 Traffic**

### **20.1 Zoning definitions**

The zoning area 'Traffic' is to be used for roads, sidewalks and verges;

### **20.2 Building regulations**

Building in the zoning area 'Traffic' is restricted by certain regulations. These are:

#### *20.2.1 Buildings*

Building is not allowed.

#### *20.2.2 Structures*

The maximum building height for structures is 5 m.

## **Artikel 21 Traffic - Airport**

### **21.1 Zoning definition**

- a. The zoning area 'Traffic - Airport' is to be used for buildings and terrains for airport operations and airport related activities;
- b. The zone also allows buildings and terrains for the fire department.

### **21.2 Building regulations**

Building in the zoning area 'Traffic – Airport' is restricted by certain regulations. These are:

#### *21.2.1 Buildings*

- a. A building shall have:
  1. A maximum building height as is registered in the indication 'maximum building height (m)';
  2. A maximum of two floors (either with or without a pitched roof), with the exception of the control tower;
  3. To be built at least 3 m from the plot boundary;
  4. To be built at least 10 m from a road;
  5. To be built at least 150 m from the axis of the takeoff/landing strip;
- b. The total built-up surface may not exceed the 'maximum building percentage' for the zoning area;

#### *21.2.2 Structures*

- a. Structures are restricted to being built at a distance of at least 150 m from the axis of the takeoff/landing strip, except structures for air traffic control;
- b. A fence to demarcate plots and terrains shall have:
  1. A building height of a maximum of 2 m if at the back of a building;
  2. A building height of a maximum of 2 m if next to a building and not be closer to a road than the frontage of the building facing the road or the extension of this frontage;
  3. A building height of a maximum of 1.5 m if between a road and the frontage of a building or the extension of a building;
- c. Other structures than fences shall have a building height of a maximum of 10 m.

### **21.3 Exemption from building regulations**

#### *21.3.1 Exceptions*

In certain cases buildings are allowed a higher building height than the height indicated.



### *21.3.2 Conditions*

Exemption to enable the above mentioned exceptions has to be authorized by the Executive Council. The Executive Council is only able to authorize exemption, if no disproportional damage is done to:

- a. The street- and townscape;
- b. Traffic safety
- c. The possibilities for use of the adjacent grounds.

The exemption for higher building may not result in a building height of more than 3 m over the maximum allowed building height.

### **21.4 Specific utilization regulation**

For reasons of public security with takeoff and landing of aircrafts, the safety zone of 150 m from the axis of the takeoff/landing strip must be strictly observed. Therefore storage of equipment and other materials and keeping aircrafts is prohibited in this safety zone.

## Artikel 22 Water - National Marinepark

### 22.1 Zoning definitions

- a. The zoning area 'Water - National Marinepark' is to be used for water and maintenance, restoration, development and management of natural and ecological (submarine) values in general and the coral reefs in specific;
- b. The indication 'harbour' also allows these grounds to be used for port and transshipment activities;
- c. Recreational activities such as swimming, snorkeling, scuba diving, sailing, fishing and surfing are also allowed

### 22.2 Building regulations

Building is not allowed in the zoning area 'Water - National Marinepark'.

### 22.3 Exemption from building regulations

In certain specific cases it is allowed to build jetties for adjacent grounds. This is only allowed if the Executive Council authorizes an exemption. The Executive Council will only authorize exemption if it is convinced that the activity will not **disproportionately affect** the (submarine) landscape, natural and ecological value of the area, the value and quality of the coral reef and the island profile. The jetties may have a maximum building height of 1.5 m **and a maximum length of 10 m.**

### 22.4 Civil works permits

#### 22.4.1 Activities

Certain activities may not be executed without **a civil works permit** from the Executive Council, to protect the present (submarine) landscape, natural and ecological value. These are:

- a. Executing works that may impact the water system and the water quality;
- b. Building plank bridges and jetties as far as these cannot be considered structures;
- c. Constructing moorings.

#### 22.4.2 Conditions

The Executive Council is only able to issue planning permission, if the (submarine) landscape, natural and ecological values of the area are not **significantly affected.**

#### 22.4.3 Regular maintenance

Regular maintenance does not require planning permission.

## **22.5 Amendment authorization**

### *22.5.1 Lower Town*

The Executive Council is allowed to amend the zoning to allow the building of the buildings and structures allowed under the zoning 'Mixed Use - Lower Town'. The variance may only be executed if the present landscape, natural and ecological value and quality of the Marine Park are not **disproportionately affected** and the buildings and structures are part of or belong to buildings and structures within the zone 'Recreation'. The new buildings may not obstruct the sea view from recreational facilities, unless the parties concerned (the applicant and the owner of the recreational facility who's sea view may be obstructed) have reached agreement on this matter.

### *22.5.2 Procedure*

The Executive Council only adopts a variance of the spatial development plan after a mandatory period of fifteen days during which a draft for the variance has been made available for public inspection with the opportunity to submit written objections and appeals. The dates when the variance is made available for public inspection are announced well in advance in daily newspapers or other regular periodicals published in Dutch and in English distributed on the island.

## **22.6 Utilization regulation**

To protect the present value and quality of the coral reef fishing and mooring at the indication 'National Marine Reserve' is prohibited.

## **Artikel 23 Residential Area**

### **23.1 Zoning definitions**

- a. The zoning area 'Residential Area' is to be used for housing, light businesses and house bound professions or businesses. Present businesses are also allowed;
- b. The dwellings indicated for 'prostitution' may be used for prostitution;

### **23.2 Building regulations**

Building in the zoning area 'Residential Area' is restricted by certain regulations. These are:

#### *23.2.1 Houses*

- a. One house is allowed per plot;
- b. A house and a separate annex building for this house shall have:
  1. A maximum building height as is registered in the indication 'maximum building height (m)';
  2. A maximum of two floors (either with or without a pitched roof);
  3. A distance of least 3 m from the side or back plot boundary and at least 5 m from the front plot boundary;
- c. The total built-up surface (house and annex) may not exceed the 'maximum building percentage' for the zoning area.

#### *23.2.2 Structures*

- a. A fence to demarcate plots and terrains shall have:
  1. A building height of a maximum of 2 m if at the back of a building;
  2. A building height of a maximum of 2 m if next to a building and not be closer to a road than the frontage of the building facing the road or the extension of this frontage;
  3. A building height of a maximum of 1.5 m if between a road and the frontage of a building or the extension of a building;
- b. other structures than fences shall have a building height of a maximum of 5 m.

### **23.3 Exemption from building regulations**

#### *23.3.1 Exceptions*

In certain cases a building is allowed:

- a. to be built higher than the indicated building height;
- b. to be built closer to the plot boundary or to a road than mentioned in the indicated distances.

#### *23.3.2 Conditions*

Exemption to enable the above mentioned exceptions has to be authorized by the Executive Council. The Executive Council is only able to authorize exemption, if no disproportional damage is done to:

- a. Traffic safety;
- b. The possibilities for use of the adjacent grounds.

The exemption for higher building may not result in a building height of more than 3 m over the maximum allowed building height.

## Artikel 24 Residential Area - 1

### 24.1 Zoning definitions

- a. The zoning area 'Residential Area - 1' is to be used for housing, apartment complexes, shops, offices and house bound professions or businesses. Present businesses are also allowed;
- b. Those dwellings that were used for other functions than those listed under a. at the time when this spatial development was adopted, are allowed to keep that function;
- c. At the location of the designation 'solar panels', solar panels are also allowed;
- d. Within the zoning area, buildings for social, medical, cultural, educational, sports facilities and accommodation up to a maximum of 10 units are also allowed.

### 24.2 Building regulations

Building in the zoning area 'Residential Area - 1' is restricted by certain regulations. These are:

#### 24.2.1 Buildings

- a. One house or apartment complex is allowed per plot;
- b. An apartment complex requires a minimum plot surface per apartment of 220 m<sup>2</sup>;
- c. A building as mentioned under a. shall have:
  1. A maximum building height as is registered in the indication 'maximum building height (m)';
  2. A maximum of two floors (either with or without a pitched roof);
  3. To be built detached, considering distances to the plot boundary of at least 3 m from the side or back plot boundary and at least 5 m from the front plot boundary;
- d. The total surface of the buildings may not exceed:
  1. 40% on a plot smaller than 800 m<sup>2</sup>;
  2. 30% on a plot larger than 800 m<sup>2</sup> and smaller than 1,500 m<sup>2</sup>;
  3. 25% on a plot larger 1,500 m<sup>2</sup>;
- e. Detached annexes are allowed a maximum building height of 5 m;
- f. Annexes are not allowed at apartment complexes;
- g. The total building surface of houses, apartment complexes, detached houses and canopy next to a house or an apartment complex may not exceed the percentage registered in the indication 'maximum building percentage' of the zoning area
- h. Deviating from the regulations c , an apartment complex may have a building height of 11 meters and made up of 3 storeys, provided that it fits in the urban fabric and does not affect the privacy of surrounding residential lots.

#### 24.2.2 Structures

- a. A fence to demarcate plots and terrains shall have:
  1. A building height of a maximum of 2 m if at the back of a building;
  2. A building height of a maximum of 2 m if next to a building and not be closer to a road than the frontage of the building facing the road or the extension of this frontage;
  3. A building height of a maximum of 1 m if between a road and the frontage of a building or the extension of a building;
- b. other structures than fences shall have a building height of a maximum of 5 m.

## **24.3 Exemption from building regulations**

### *24.3.1 Exceptions*

In certain cases it is allowed to build:

- a. Closer to the plot boundary than the distances indicated;
- b. To build terraced houses.

### *24.3.2 Conditions*

Exemption to enable the above mentioned exceptions has to be authorized by the Executive Council. The Executive Council is only able to authorize exemption, if no disproportional damage is done to:

- a. The street- and townscape;
- b. The environmental situation;
- c. Traffic safety
- d. The possibilities for use of or the views from the adjacent grounds.

## **24.4 Amendment**

### *24.4.1 Recreational stay*

The Executive Council is allowed to amend the zoning and limit or remove the possibilities for recreational stay. This amendment can take place if there is an oversupply of accommodation in a neighborhood and control is needed.

Het Bestuurscollege kan de bestemming wijzigen en de mogelijkheden voor verblijfsrecreatie schrappen of beperken. De wijziging kan plaatsvinden als er in een woongebied teveel aanbod ontstaat aan verblijfsrecreatieve functies en sturing gewenst is.

### *24.4.2 Procedure*

The Executive Council only adopts a variance of the spatial development plan after a mandatory period of fifteen days during which a draft for the variance has been made available for public inspection with the opportunity to submit written objections and appeals. The dates when the variance is made available for public inspection are announced well in advance in daily newspapers or other regular periodicals published in Dutch and in English distributed on the island.

## Artikel 25 Residential Area - 2

### 25.1 Zoning definitions

- a. The zoning area 'Woongebied - 2' is to be used for housing and house bound professions or businesses; .
- a. Those dwellings that were used for other functions than those listed under a. at the time when this spatial development was adopted, are allowed to keep that function.

### 25.2 Building regulations

Het bouwen op de gronden met de bestemming 'Woongebied - 2' is aan een aantal voorschriften gebonden. Dit zijn:

#### 25.2.1 Buildings

- a. A building shall have:
  - 1. A maximum building height as is registered in the indication 'maximum building height (m)';
  - 2. A maximum of two floors (either with or without a pitched roof);
  - 3. To be built detached;
  - 4. When being built, to consider distances to the plot boundary of at least 10 m from the side or back plot boundary and at least 10 m from the front plot boundary;
  - 5. To be built on a plot of at least 2,500 m<sup>2</sup>;
- b. The total built-up surface of detached buildings may not exceed 80 m<sup>2</sup>;
- c. Detached annex buildings are allowed a maximum building height of 5 m;
- d. The total surface of the buildings may not exceed 30% of the plot surface;

#### 25.2.2 Structures

- a. A fence to demarcate plots and terrains shall have:
  - 1. A building height of a maximum of 2 m if at the back of a building;
  - 2. A building height of a maximum of 2 m if next to a building and not be closer to a road than the frontage of the building facing the road or the extension of this frontage;
  - 3. A building height of a maximum of 1 m if between a road and the frontage of a building or the extension of a building;
- b. other structures than fences shall have a building height of a maximum of 5 m.

## **Artikel 26 Value - Archaeology**

### **26.1 Zoning definition**

The zoning area 'Value - Archaeology' is, next to other possible use, used for maintenance, restoration and development of Archaeological and cultural heritage values. This use prevails over functions of other use.

### **26.2 Prohibition to build**

Although other use may allow building possibilities, based on this double zoning it is not allowed to build on grounds to which this zoning applies.

### **26.3 Exemption from prohibition to build**

#### *26.3.1 In general*

The Executive Council may authorize exemption from the abovementioned prohibition to build and allow building and buildings conform the other zone, only if these buildings or structures do not damage the archaeological and cultural heritage values, or if these buildings are for the common good or for public utilities or for initiatives that offer a clear added value to St. Eustatius' economy, tourism, recreation, living and employment.

#### *26.3.2 Procedure*

Before the Executive Council issues exemption, an authority on archaeology and cultural heritage, appointed by the Executive Council, must be consulted. This authority must provide the Executive Council with advise within 1 month. If the Executive Council does not receive advise within 1 month, it may decide upon exemption without consultation.



## **Artikel 27 Value - Urban Conservation Area**

### **27.1 Zoning definition**

The zoning area 'Value - Archaeology' is, apart from the other indicated uses, used for maintenance, restoration and development of the monuments and cultural heritage values and qualities.

### **27.2 Building regulations**

In addition to the building regulations of other imposed use for the the zoning area 'Value – Urban Conservation Area', the following building regulations apply:

- a. The shape of a roof of a building is limited to a pavilion roof or a saddle roof or combinations of these. The incline must be at least 35 degrees, but no larger than 50 degrees;
- b. The ridge line of the roof of buildings must be parallel to the street;
- c. Sustainable materials that serve the purpose and fit in the color scheme and streetscape must be used for renovation of non-monuments and for new-built buildings.

### **27.3 Detailed requirements**

In view of the historical character of the grounds concerned, the Executive Council may impose detailed requirements to the material and color use for the exterior decorating of buildings and of structures, where in case of monument restoration original materials must be used.

### **27.4 Civil works permit**

#### *27.4.1 Activities*

Certain activities may not be executed without planning permission issued by the Executive Council, because of the present value and quality of the urban conservation area. These are the following activities:

- a. Complete or partial demolition of buildings;
- b. Earthworks for changing or applying a rock or rocklike foundation, walls and water tanks;
- c. Felling trees with a trunk diameter of over 15 cm;
- d. Demolition of terrain walls;
- e. Changing the present course of terrain water;
- f. Removing or changing characteristic fencing and fence posts, porches and pickets and frontage shutters and/or ornaments and decorations.

#### *27.4.2 Conditions*

The Executive Council may issue planning permission only if the value and quality of the urban conservation area are not damaged. Insight into the precautions for preventing further erosion of the present cliff walls before, during and after building works must be provided when working near the cliff walls.

#### *27.4.3 Regular maintenance*

Regular maintenance does not require planning permission.

## **Artikel 28 Water Storage**

### **28.1 Zoning definition**

The zoning area 'Water Storage' is, next to other indicated use, used for collecting and storage of rain water.

### **28.2 Prohibition to build**

Although other use may allow building possibilities, based on this double zone it is not allowed to build on grounds to which this zone applies.

### **28.3 Exemption from prohibition to build**

The Executive Council may authorize exemption from the abovementioned prohibition to build and allow building and buildings conform the other zone, only if these buildings or structures do not damage the water storage function of the area.

### **28.4 Civil work permits**

#### *28.4.1 Activities*

Certain activities may not be executed, in view of the water storage function, without a **civil works permit** of the Executive Council. These activities are:

- a. Constructing, widening, diverting or paving roads and paths;
- b. Applying different surface pavement;
- c. Raising or excavating grounds;
- d. Changing the profile of roads or paths;
- e. Other activities that are detrimental to the water storage properties of the area.

#### *28.4.2 Conditions*

The Executive Council is only able to issue planning permission, if the water storage function is not essentially reduced.

#### *28.4.3 Regular maintenance*

Regular maintenance does not require planning permission.

## **Hoofdstuk 3    General regulations**

### **Artikel 29    Double planning prohibition**

Land which has once been considered for a building plan that is either executed or to be executed, will not be considered in later building plans.

## **Artikel 30 General zoning definition**

Within a zoning also roads, paths, landscaping, parking lots, terrains, utilities, errains, pavements, waterways, water storage and measures to prevent erosion are allowed.

## Artikel 31 General building regulations

### 31.1 Subdivision plan

1. A building permit for a (main) building on a plot that is part of an allotment of three or more lots can only be granted after a subdivision plan has been adopted by the Executive Council and the requested building is in accordance with the subdivision plan or the regulations attached to the adoption by the Executive Council.
2. An subdivision plan:
  - a. takes into account the present or potential natural, ecological, landscape, urban and archaeological values, cultural heritage, the drainage of rainwater, the prevention of erosion and the stability of the cliff. The distance from the plots to the edge of the cliff is at least 20 meters;
  - b. contains a description of how and when the main buildings will be connected to the underground and aboveground infrastructure, provides insight into the technical and financial feasibility of the infrastructure and provides insight into the current and future space requirements of the infrastructure;
  - c. contains a description of the public space indicates how the public space contributes to quality of living and the variation between neighbourhoods;
  - d. contains a description of how nuisance functions are taken into account
  - e. takes into account the accessibility for the fire brigade and other emergency services, fire extinguishing facilities and locations for fire vehicles and is accompanied by advice from the fire department;
  - f. at least 30% of the area of the subdivision plan is public space, including roads, green and play facilities;
  - g. is in accordance with the regulations of this spatial development plan;
  - h. provides sufficient parking spaces for the buildings to be constructed.
3. The Executive Council only adopts a subdivision plan after a mandatory period of fifteen days during which a draft has been made available for public inspection with the opportunity to submit written objections and appeals.
4. When adopting an subdivision plan, the Executive Council is authorized to grant exemption from the building rules and usage rules included in this spatial development plan.
5. To achieve a sustainable spatial development, a balanced housing stock, the level of facilities and the quality of living and life, the Executive Council is authorized to set requirements to the adoption of the subdivision plan.
6. To achieve a sufficient and safe traffic structure, the Executive Council is authorized to set requirements to the determination decision regarding the width, design, layout and implementation of roads. It can establish policy rules for this.
7. To achieve a sustainable underground infrastructure, the Executive Council is authorized to set requirements to the determination decision regarding the space requirement and the implementation of underground infrastructure. It can adopt policy rules for this.
8. The assessment whether a subdivision plan is required for an allotment is based on plots and sites as they exist at the time of adoption of this spatial development plan. Buildings realized on a plot or site after the adoption of this spatial development plan are included in the assessment of whether or not a subdivision plan should be drawn up.

### 31.2 Sufficient infrastructure

1. A building permit for the construction of a main building can only be granted after the above-ground and underground infrastructure required for the construction and use of this building is in place.
2. The Executive Council may grant an exemption from these requirements if it is conclusively proven that the

required infrastructure will be realized within two years of the building permit being granted and that sufficient space is available.

3. To achieve a sufficient and safe traffic structure, the Executive Council is authorized to set requirements to the determination decision regarding the width, design, layout and implementation of roads. It can adopt policy rules for this.

4. To achieve a sustainable underground infrastructure, the Executive Council is authorized to set requirements to the determination decision regarding the space requirement and the implementation of underground infrastructure. It can adopt policy rules for this.

### **31.3 Advertisement boards**

- a. An advertisement board within the zones 'Center', 'Mixed Use - Lower Town', 'Residential Area', 'Residential Area - 1', 'Residential Area - 2' is allowed a maximum surface of 2 m<sup>2</sup>.
- b. The Executive Council may issue exemption from this measurement if the streetscape and townscape or not spoiled and traffic safety and use of the adjacent grounds are not impeded. The maximum size of advertisement boards after exemption has been issued is 4 m<sup>2</sup>.

### **31.4 Radio masts and aerials**

Present radio masts and aerials are allowed to be rebuilt, including the accompanying structures.

### **31.5 Coast side building**

The Executive Council may only issue a building permit for building and constructing within the 15 m area from the flood mark line after the initiator has shown that the building method, the materials to be used and the building location will have no significant negative impact on the Marine Park.

### **31.6 Building on the cliff**

It is not allowed to build within a distance of 20 meters from the edge of the cliff.

### 31.7 Bouwen onder de klif

The Executive Council may only issue a building permit after the initiator has proven that sufficient construction and safety measures are taken to absorb any effects of erosion, the falling of stones, rocks, etc. and the water coming from the cliff and that the stability of the cliff is guaranteed before, during and after construction work.

### 31.8 Parkeren

The Executive Council may only issue a building permit after the initiator has proven that sufficient parking space is constructed.

The Executive Council may authorize exemption from this demand for sufficient parking space if sufficient parking space is available in the immediate vicinity or if the building is to be located in the center of Oranjestad or if the activities concern renovation of a listed building **or when there is no space for the required parking lots.**

Exemption may be issued if the initiator is able to prove that the building plan **is socially relevant** and financially and economically not feasible when meeting the parking standard requirement.

### 31.9 High mast lighting for air traffic

Present high mast lighting and other beacons and masts for air traffic may be rebuilt, including the constructions for these masts and beacons.

### 31.10 Erosie

The Executive Council may only issue a building permit after the initiator has proven that **an initiative does not cause erosion and has no negative impact on the stability of the cliff.**

### 31.11 Air traffic zone

Air traffic safety sets limitations to the height of buildings and structures. The maximum heights to be observed for safety of air traffic are indicated with the level specifications within the indication 'air traffic zone'. These levels must be observed and overrule the building heights that apply in the zones over which the indication 'air traffic zone' has been planned.

### 31.12 Bouwen van een container of een modulaire unit

1. A building permit for building a container or a modular unit may only be issued if it meets reasonable requirements of aesthetics and fits into the environment. That means :
  - a. the container or modular unit matches the urban and landscape structure in terms of scale and size;
  - b. the container or modular unit matches the surrounding buildings in terms of colour, materialization and appearance or blends into the landscape.
  - c. For a container, this may mean that, depending on the location, it must be covered with an area specific material;
2. For a good spatial integration, the Executive Council is allowed to impose further requirements to the building permit for the fitting of containers or modular units. It can establish policy rules for this.

## Artikel 32 General utilization regulations

### 32.1 Algemeen

It is prohibited to use the buildings, structures and terrains or to have them used in conflicting with the registered zoning. A use conflicting with the registered zoning is a use other than in accordance with the building regulations. On request, the Executive Council can authorize exemption if this does not lead to nuisance, dangerous traffic situations or a limitation of the use of adjacent plots.

### 32.2 Conflicting use

The following use is considered to be conflicting with the registered zoning:

- a. use of grounds and buildings for commercial activities in or near residential areas that are harmful to the environment and health, that cause nuisance to the surrounding houses and/or that can lead to unsafe traffic situations;
- b. Use of grounds for warehousing or storage of vehicles, vessels and/or air craft (recalled from their original use) and warehousing of containers;
- c. Use of grounds for warehousing and storage of containers;
- d. Use of grounds for storage of scrap, demolition and building materials, earth, mortar and rubble, for waste dumping, other than for the execution of building activities and works and operations allowed by virtue of the zoning;
- e. Use of grounds and buildings for prostitution;
- f. Use of grounds as a site for camping equipment;
- g. Activities that can lead to erosion;
- h. Activities that can affect the stability of the cliff;
- i. (commercial) activities in or near areas with natural values that are harmful to the values in those areas;
- j. activities that may damage archaeological sites and cultural heritage.

### 32.3 Erosion

Use of grounds that may increase the risk of erosion is considered to be conflicting with the zoning.

### 32.4 Barren terrain

Paving a terrain for more than 65% of its surface with non-permeable material is considered to be conflicting with the zoning.

### 32.5 Free roaming animals

Free roaming animals is considered to be conflicting with the zoning.

### 32.6 home bound professions and businesses

The exercise of a profession or a business is allowed within a home or in a building adjacent to a home, provided that the profession or business is subordinate to the residential function and the home keeps the appearance of a house. A maximum of 30% of the surface area of a home may be used for practicing a profession or business, but it may never exceed 50 m<sup>2</sup>.

The professional or commercial activities may not detract from the residential and social climate and may not attract traffic or car parking that causes nuisance. The profession or business must be carried on by the resident.



## Artikel 33 General Civil works permit

### 33.1 General Civil works permit

#### 33.1.1 Activities

Certain activities may not be executed without a permit of the Executive Council.

- a. Extracting, reducing, stripping, raising or leveling grounds;
- b. Paving surfaces;
- c. Executing works that may impact the water system;
- d. Executing works that may cause erosion;
- e. Constructing roads, quays, canals, dams or other building works;
- f. Removing or destroying the natural vegetation;
- g. Moving, partly or fully removing or destroying cultural-historical, archaeological or geologically valuable objects;
- h. Sand or minerals extraction.
- i. Building open fires.

#### 33.1.2 Conditions

The Executive Council may only issue a civil work permit if the landscape, natural and ecological values of the area are not significantly affected and no significant negative effects occur in the context of water management or erosion

### 33.2 Specific Civil works permit

#### 33.2.1 15 m zone from high water mark

It is prohibited to execute works within a distance of 15 m from the high water mark in view of the value and quality of the Marine Park apart from the regulations registered in the zoning concerned.

#### 33.2.2 Works under, against or on top of the cliff

##### Constructing activities

- between the cliff and the high water mark;
- against the cliff;
- on the cliff, within a distance of 20 m from the cliff edge,

for the stability of the cliff, safety and erosion control, it is prohibited to carry out work without a civil work permit.

#### 33.2.3 Conditions

The Executive Council may only issue the permit as mentioned in 33.2.1 and 33.2.2 only if the value and quality of the Marine Park are not damaged by the works.

### 33.3 Exceptions

No civil works permit is required for:

- a. performing normal maintenance;
- b. activities arising from an subdivision plan approved by the Executive Council and the conditions attached, provided that the subdivision plan is not older than 3 years prior to the start of the activities.

## **Artikel 34 General exemption regulations**

### **34.1 Exemption from building regulations**

The Executive Council may issue exemption from the building regulations to deviate from the standard measurements (and percentages) with a maximum of 10% as far as this is important for a better technical execution of building works or for aesthetic reasons.

### **34.2 Small scale housing initiatives**

The Executive Council may issue exemption from the building and utilization regulations for housing initiatives to a maximum of 2 houses. The present or potential natural, ecological, landscape, cultural-historical and archaeological values, the drainage of rainwater and the prevention of erosion must be taken into account .

### **34.3 Temporary housing**

The Executive Council may issue exemption from the building and utilization regulations for temporary housing initiatives. Such initiatives can be exempted for a maximum of 10 years.

### **34.4 Sewage**

The Executive Council may issue exemption from the building and utilization regulations for the construction and maintenance of sewage.

### **34.5 Cemetery**

The Executive Council may issue exemption from the building and utilization regulations for the realization of a new cemetery, including associated facilities.

The present or potential natural, ecological, landscape, cultural-historical and archaeological values, the drainage of rainwater, the prevention of erosion and the stability of the cliff must be taken into account.

### **34.6 Restaurants**

The Executive Council may issue exemption from the building and utilization regulations for the realization of a new restaurant, provided that the restaurant does not detract from the residential and social climate and does not lead to a traffic-attracting effect or to parking pressure that causes nuisance.

## **Artikel 35 General amendment regulations**

### **35.1 Common public interest**

The Executive Council is authorized to amend the Spatial development Plan for development initiatives not provided for in the spatial development plan and that are aimed at the public interest, at public utilities or at initiatives that have added value for the economy, tourism, recreation, living quality and employment on St. Eustatius. This possibility for variance does not apply to the zone 'Natural Area - Conservation Area'. The variance may only be authorized if the initiator has shown that the natural, ecological, landscape, archaeological or cultural heritage values have been taken into due consideration during the development of the plan. An initiative requiring an added value, research has to show that this added value is an actual result of the initiative and what the added value actually contains.

### **35.2 Sea port**

The Executive College is authorized to amend the spatial development plan for the development of a new sea port, including the associated infrastructural works. The variance may only be authorized if research shows that the initiative is economically and financially feasible and that the environmental legislation is met with and that the natural values are not disproportionately damaged.

### **35.3 Port accessibility**

The Executive Council is authorized to amend the spatial development plan for the development of new access of the present port. The variance may only be authorized if research shows that the development is economically and financially feasible.

### **35.4 Selling point for motor fuels**

The Executive Council is authorized to amend the spatial development plan for the development of new radio masts and aerials. The variance may only be authorized if research shows that the quality of life in the area and the landscape are not diminished, and if clustering with present radio masts and aerials has been taken into account. Furthermore, the economical and financial feasibility of the development has to be shown. This possibility for variance does not apply to the zones Natural Area and Landscape, Natural Area - Conservation Area, Natural Area - 1, Natural Area - 2, Mixed Use - Natural Area, Agriculture, Residential and Recreation en Mixed Use - Natural Area, Agriculture and Residential.

### **35.5 Radio masts and aerials**

The Executive Council is authorized to amend the spatial development plan for the development of new radio masts and aerials. The variance may only be authorized if research shows that the quality of life in the area and the landscape are not diminished, and if clustering with present radio masts and aerials has been taken into account. Furthermore, the economical and financial feasibility of the development has to be shown.

### **35.6 Extend of takeoff-and landing strip**

The Executive Council is authorized to amend the spatial development plan for the development of the takeoff and landing strip of the airport.

### **35.7 Windmills**

The Executive Council is authorized to amend the spatial development plan for the development of new windmills. The variance may only be authorized if research shows that the value and quality of the national Marine Park, of nature areas and of other areas in the vicinity of the to be raised windmills are not diminished. The maximum axis height is 80 m. The maximum number of windmills for the island territory is 5 windmills. Furthermore, the economical and financial feasibility of the development of windmills has to be shown.

### **35.8 Renewable energy**

The Executive Council is authorized to amend the spatial development plan for renewable energy initiatives, like solar panels or geothermal energy.

The variance may only be authorized if survey shows that the residential and social climate or of the natural, ecological, landscape, archaeological or cultural-historical values and the economic and social added value has been taken into account.

### **35.9 Accommodation**

The Executive Council is allowed to amend the the spatial development plan for initiatives for hotels, recreational apartment complexes, resorts, pensions, bed & breakfasts, holiday homes and the corporate houses for overnight recreational facility businesses.

The variance may only be executed if research has shown that that the development contributes to high-quality tourism and the economy and that the present landscape, natural and ecological values and qualities are not damaged disproportionately, the initiative is correctly imposed on the landscape, the initiative for which the variance is implemented is financially and economically feasible and proper storage and drainage of rain water must be taken into account and precautions to prevent erosion have been taken.

### **35.10 Procedure**

Prior to adopting a variance of the spatial development plan, a careful procedure is observed. The Executive Council only adopts a variance of the spatial development plan after a mandatory period of fifteen days during which a draft for the variance has been made available for public inspection with the opportunity to submit written objections and appeals. The period when the variance is made available for public inspection are announced well beforehand in daily newspapers or other regular periodicals published in Dutch and in English and distributed in the island territory.

## **Artikel 36 Demolition regulations**

The buildings listed in Bijlage 1 of these regulations may only be demolished if a demolition permit for the buildings concerned has been issued by the Executive Council. The Executive Council may only issue a demolition permit if:

- a. the characteristic main design of the building has faded and cannot be restored without radical changes to the building;
- b. the characteristic main design of the building in reasonableness has not been maintained;
- c. part/parts of the building are concerned that are not characteristic in itself/themselves and demolition of this part/these parts does/do not damage the characteristic main design of the building disproportionately.

### **36.1 Amendment authorization**

The Executive Council is authorized to amend the buildings listed in Bijlage 1 and add or delete buildings.

### **36.2 Procedure**

The Executive Council only decides upon the detailed development plan after a mandatory period of fifteen days during which the draft has been made available for public inspection with the opportunity to submit appeals. The period when the variance is made available for public inspection are announced well in advance in daily newspapers or other regular periodicals published in Dutch and in English distributed in the island territory.

## Hoofdstuk 4 Transitional regime and concluding regulations

### Artikel 37 Transitional regime

#### 37.1 Transitional regime for buildings and structures

- a. A building or structure that is present or being built or is allowed to be built according to a building permit and deviates from the spatial development plan at the time of the entry into force of the spatial development plan, is allowed to, only if the deviation is not increased in nature and extent:
  1. be partially renovated or changed;
  2. be restored or changed completely after being destroyed as a result of a calamity, only if the request for the building permit is submitted within two years after the day of the calamity;
- b. The Executive Council may once issue exemption from subsection a to expand the building volume of a building as intended under subsection a with a maximum of 10%;
- c. Subsection a is not applicable for buildings that nonetheless were present on the time of the plan's entry into force but were built without a building permit.

#### 37.2 Transitional regime for utilization

- a. Utilization of buildings, structures and grounds at the time of the entry into force of the spatial development plan and is contrary to this plan, may be continued;
- b. It is forbidden to amend or allow third parties to amend the utilization contrary to the spatial development plan as intended in subsection a to another utilization contrary to the spatial development plan, unless the variance reduces the nonconformity in nature and extent;
- c. If the utilization as intended in subsection a is interrupted for a period of more than one year after the time of the entry into force of the spatial development plan, it is prohibited to resume this utilization or allow third parties to resume this utilization.

## **Artikel 38 Synchronization with building regulations**

The provisions in the building regulations for building in relation to the building lines remain inapplicable when the beforementioned regulations are applied.



## **Artikel 39 Concluding regulation**

These regulations shall be known and may be cited as 'Regulations of the 'Spatial development plan Sint Eustatius 2022' of the Public Entity of Sint Eustatius'.

## Bijlagen

## **Bijlage 1 List of Protected Buildings**

### **F01**

Object Number: F01

Object name: Fort Oranje (at times also known as Old Fort, Fort George, Fort Hollandia)

Location: Beginning of Fort Oranje Straat on the cliff edge in Upper Town, Oranjestad

Address:

Cadastre: RB 8 / 1954

### **U01**

Object Number: U01

Object name: Doncker House, Donckers Nieuwe Tempel

Location: In the historic core of Oranjestad

Address: Wilhelminastraat

Cadastre: RB 8/1951 (RB 7/1951?)

### **U02**

Object Number: U02

Object name: Madam's

Location: In the historic core of Oranjestad

Address: Wilhelminaweg - Fort Oranjestraat

Cadastre: CA 10 / 1978

### **U03**

Object Number: U03

Object name: Deep Yard

Location: In the historic core of Oranjestad

Address: Paramiraweg (3?)

Cadastre: RB 8/1950

### **U04**

Object Number: U04

Object name: Het Tuinhuisje

Location: In the historic core of Oranjestad

Address: Rost van Tonningenweg 11

Cadastre: RB7/1949

### **U05**

Object name: Aloï Boutique

Object Number: U05

Location: In the historic core of Oranjestad

Address: Rost van Tonningenweg 13

Cadastre: CA 9/1978

**U06**

Object name: Paper Corner

Object Number: U06

Location: In the historic core of Oranjestad

Address: Rost van Tonningeweg 15

Cadastre: CA 9/1978

**U07**

Object name: Berkel's House

Object Number: U07

Location: In the historic core of Oranjestad

Address: Fort Oranjestraat 1

Cadastre: C4 /74, C9 /110

**U08**

Object name: Government Guesthouse compound

Object Number: U08

Location: In the historic core of Oranjestad

Address: Fort Oranjestraat

Cadastre:

**U09**

Object name: The Cottage

Object Number: U09

Location: In historic Oranjestad

Address: Cottageweg

Cadastre:

**U10**

Object name: Hill Compound, Three Widows Corner, Old Library)

Object Number: U10

Location: In the historic core of Oranjestad

Address: Fort Oranjestraat 2-4

Cadastre: MB 3 / 1964

**M12**

Object name: Wilhelmina Monument

Object Number: M12

Location: In the historic core of Oranjestad, on the former "Old Market"

Address: Paramiraweg/Damsteeg

Cadastre:

**U68**

Object name: Old Catholic School + Hole in the Wall

Object Number: U68

Location: In the historic core of Oranjestad, right on the cliff above the Bay Path

Address: Van Tonningeweg

Cadastral: RB 10/1950

(C5/15, C6/44, C6/81, C6/86, C6/87, C9/85, C9/86, C9/87, C9/88, C9/90, C11/88, C11/154)

**U52**

Object name: Roman Catholic Church of St. Eustatius

Object Number: U52

Location: In the historic core of Oranjestad, on the 'Old Market,' at the top of the Bay Path

Address: Paramiraweg

Cadastral: RB 10/1950

(C5/15, C6/44, C6/81, C6/86, C6/87, C9/85, C9/86, C9/87, C9/88, C9/90, C11/88, C11/154)

**U11**

Object name:

Object Number: U11

Location: In the historic core of Oranjestad

Address: Fort Oranjestraat 6

Cadastral: MB K2 / 1961, E3 150

**U29**

Object name: Zeezicht, Catholic club house

Object Number: U29

Location: In the historic core of Oranjestad, right on the cliff above the Bay Path, on the grounds of the Roman Catholic Church

Address: Van Tonningeweg

Cadastral: RB 10/1950

(C5/15, C6/44, C6/81, C6/86, C6/87, C9/86, C9/87, C9/88, C9/90, C11/88, C11/154)

**U53**

Object name: Glover's House

Object Number: U53

Location: In the historic core of Oranjestad

Address: Paramiraweg 1

Cadastral: CA 9/1978

**U67**

Object name:

Object Number: U67

Location: In historic Oranjestad

Address: Paramiraweg (5?)

Cadastre: E2/298

#### **U76**

Object name: Madam Theatre

Object Number: U76

Location: In historic centre of Oranjestad

Address: Fort Oranjestad 11

Cadastre: E-7/124

#### **F02**

Object name: Four Gun Battery (built as Bourbon Battery, also known as Battery Vaughan)

Object Number: F02

Location: On the cliff edge behind the East end of Salem cemetery

Address:

Cadastre:

#### **P01**

Object name: Plantation Zeelandia

Object Number: P 01

Location: Country side, area called Zeelandia

Address:

Cadastre:

#### **P04**

Object name: Calabash Tree Plantation/Concordia Plantation

Object Number: P04

Location: At the northern end of Concordia Road

Address: Concordia Road

Cadastre:

#### **P06**

Object name: Little Round Hill Hill House

Object Number: P06

Location: Area called Upper Round Hill

Address:

Cadastre:

#### **P07**

Object name: Sisal Factory

Object Number: P07

Location: On the cliff side of the beginning of the Road to White Wall

Address: Road to White Wall

Cadastre:

**P08**

Object name: Bouillé Plantation

Object Number: P08

Location: Area called Bouillé

Address: Road to White Wall

Cadastre:

**P10**

Object name: Godet Plantation

Object Number: P10

Location: The area called Van Zanten's Land or Godet Plantation

Address: Godet

Cadastre:

**P13**

Object name: Glass Bottle Plantation

Object Number: P13

Location: The area called Glass Bottle

Address: Glass Bottle

Cadastre:

**P14**

Object name: Pleasures Plantation

Object Number: P14

Location: The area called Pleasures

Address: Pleasures

Cadastre:

**P15**

Object name: Fair Play plantation and sugar mill

Object Number: P15

Location: The area called Fair Play

Address: Fair Play

Cadastre:

**P16**

Object name: Tumble Down Dick Plantation/Anna's Lust

Object Number: P16

Location: Inside Tumble Down Dick Plantation

Address:

Cadastre:

**P17**

Object name: English Quarter Plantation

Object Number: P17

Location: Area called English Quarter

Address:

Cadastre:

**U12**

Object name:

Object Number: U12

Location: In the historic core of Oranjestad

Address: Fort Oranjestraat 8

Cadastre: RB 8/1949

**U13**

Object name: Gezaghebber's House

Object Number: U13

Location: In the historic core of Oranjestad

Address: Kerkweg 1

Cadastre: RB 7/1954

**U56**

Object name:

Object Number: U56

Location: In the historic core of Oranjestad

Address: Fort Oranjestraat 3

Cadastre: C19/8

**U16**

Object name: Dutch Reformed Church and Graveyard

Object Number: U16

Location: In the historic core of Oranjestad

Address: Kerkweg

Cadastre:

**U69**

Object name:

Object Number: U69

Location: In the historic core of Oranjestad

Address: Emmaweg, at the back of Cool Corner

Cadastre: C6/1



**U14**

Object name: Volk's House

Object Number: U14

Location: In the historic core of Oranjestad

Address: Kerkweg 4

Cadastral: C 14/75

**U15**

Object name: Van Putten's House

Object Number: U15

Location: In the historic core of Oranjestad

Address: Kerkweg 6

Cadastral: C 19/8

**U25**

Object name: Synagogue Honen Dalim

Object Number: U25

Location: In the historic core of Oranjestad

Address: Synagogepad

Cadastral:

**U44**

Object name: Cassidor's House

Object Number: U44

Location: In the historic core of Oranjestad

Address: Kerkweg 2

Cadastral: RB 3/1947

**U55**

Object name: Cool Corner

Object Number: U55

Location: In the historic core of Oranjestad

Address: Emmaweg

Cadastral: RB 7/1947

**F03**

Object name: Waterfort (also: Nieuwe Fort (?), Hollandia (?), Fort/Battery Amsterdam, St. Anna Batterij, Fort Waterloo)

Object Number: F03

Location: At the North end of Lower Town, beyond Smoke Alley, near Godet Plantation

Address:

Cadastral:

**U32**

Object name: Schmidt's House  
Object Number: U32  
Location: Upper Town, in the town extension of 1739-1740  
Address: Fort Oranjestraat (East corner Faeschweg)  
Cadastre:

#### **U34**

Object name: Doctor's House (also Old Museum)  
Object Number: U34  
Location: At the far East end of Upper Town  
Address: Prinsesweg 23  
Cadastre:

#### **R01**

Object name: Bay Path (also Old Path, Hill Head)  
Object Number: R01  
Location: On the cliff connecting Lower Town with Upper Town  
Address: Bay Path  
Cadastre:

#### **L01**

Object name:  
Object Number: L01  
Location: Lower Town, on either side of the northern end of the Bay Road between Smoke Alley and Sampson's Well  
Address: Bay Road  
Cadastre:

#### **C01**

Object name: Old Church cemetery  
Object Number: C01  
Location: on the Eastern edge of Upper Town  
Address: Merkmanweg / corner Lodi Road  
Cadastre:

#### **W01**

Object name: Taylor's Well  
Object Number: W01  
Location: in the 1739-1740 extension of Upper Town  
Address: On the West side of Black Harry Lane, near the junction with Binkesweg  
Cadastre:

#### **L11**

Object name:

Object Number: L11

Location: In the historic core of Lower Town

Address: Bay Road

Cadastre:

### **L08**

Object name: Customs House, Guard House

Object Number: L08

Location: In the historic core of Lower Town

Address: Bay Road (in front of the old pier)

Cadastre:

### **U24**

Object name: Johnson Compound

Object Number: U24

Location: in the heart of the historic core of Oranjestad

Address: Fort Oranjestraat (12?), Bredeweg (2?), Synagogepad (5?)

Cadastre: E3 / 30

### **P09**

Object name: Schotsenhoek plantation

Object Number: P09

Location: Area called Schotsenhoek

Address:

Cadastre: RB 8 / 1954

### **F04**

Object name: Rotterdam Battery, Nieuwe Fort

Object Number: F04

Location: Area called Van Zanten's Land

Address:

Cadastre:

### **F05**

Object name: Battery Royal (also Fort Nassau)

Object Number: F05

Location: On top of the southwestern extremity of the Horseshoe mountains

Address:

Cadastre:

### **F06**

Object name: Fort Panga (also: Signal Hill, Seinpost, La Vigie)

Object Number: F06

Location: On top of the eastern extremity of the Horseshoe mountains

Address:

Cadastre:

#### **F07**

Object name: Jussac Battery (also: Cul-de-Sac, Redoute aux Bombes)

Object Number: F07

Location: On the second highest top of the Horseshoe mountains

Address:

Cadastre:

#### **F08**

Object name: Tumble Down Dick Battery (also: Tommelendijk, Battery Charlotte )

Object Number: F08

Location: In the middle of the Oil Terminal port and pipe facilities.

Address:

Cadastre:

#### **F09**

Object name: Concordia Battery (also: Concoran)

Object Number: F09

Location: On the cliff at the end of the airport runway, between Bargine Bay and Great Bay/Schildpadden Baai

Address:

Cadastre:

#### **F10**

Object name: St. Louis Battery (also: Lucie)

Object Number: F10

Location: On the cliff above Compagnie Bay

Address:

Cadastre:

#### **F11**

Object name: Corre Corre Battery (also: Couroucourou)

Object Number: F11

Location: On the cliff at the southeastern end of Corre Corre Bay

Address:

Cadastre:

#### **F12**

Object name: De Windt Battery (also: Fort De Windt, Back-off Battery, Lisburne Battery)

Object Number: F12

Location: On the cliff at the end of the Road to White Wall

Address:

Cadastre:

#### **F14**

Object name: Nassau Battery (also: Fort Nassau)

Object Number: F14

Location: On the cliff edge at the northern corner of Kay Bay

Address:

Cadastre:

#### **F15**

Object name: Dolijn Battery (also: Batterie La Haye)

Object Number: F15

Location: On the cliff edge, halfway between the batteries Nassau and Bouille

Address:

Cadastre:

#### **F17**

Object name: Bouillé Battery (also: Battery Citern)

Object Number: F17

Location: On the cliff edge, on the southern end of the gut leading to Crooks

Address:

Cadastre:

#### **L02**

Object name:

Object Number: L02

Location: Lower Town, on the sea side of Bay Road between Sampson's Well and warehouse L11

Address: Bay Road

Cadastre:

#### **L03**

Object name:

Object Number: L03

Location: Lower Town, on the cliff side of Bay Road between Sampson's Well and the Bay Path

Address: Bay Road

Cadastre:

#### **L04**

Object name:

Object Number: L04

Location: Lower Town, on the cliff side of Bay Road between Bay Path and the Old Gin House Hotel

Address: Bay Road

Cadastre:

**L05**

Object name:

Object Number: L05

Location: Lower Town, on either side of the Bay Road between the Old Gin House Hotel/Golden Era Hotel and the drainage gutter just North of the Blue Bead Restaurant

Address: Bay Road

Cadastre:

**L06**

Object name:

Object Number: L06

Location: Lower Town, on the sea side of the Bay Road between the drainage gutter just North of the Blue Bead Restaurant and the small pier

Address: Bay Road

Cadastre:

**L14**

Object name:

Object Number: L14

Location: Lower Town, on the sea side of the Bay Road between the small pier and the Charles A. Woodley Pier

Address: Bay Road

Cadastre:

**L09**

Object name:

Object Number: L09

Location: Lower Town, on the Bay Road between the double warehouse (L12) and the seaside terrace of the Old Gin House Hotel

Address: Bay Road

Cadastre:

**L15**

Object name:

Object Number: L15

Location: Lower Town, from Smoke Alley to the Waterfort (Fort Amsterdam)

Address:

Cadastre:

**L07**

Object name: Old Gin House

Object Number: L07

Location: Lower Town, on the northern 'bank' of Claes Gut.

Address: Bay Road

Cadastral:

#### **L10**

Object name:

Object Number: L10

Location: Lower Town, on the cliff side of the Bay Road, to the immediate right of the Johnson Warehouse

Address:

Cadastral:

#### **L12**

Object name: Double warehouse

Object Number: L12

Location: Lower Town, on the sea side of the Bay Road, to the south of the former Customs House.

Address:

Cadastral:

#### **L16**

Object name: Smoke Alley

Object Number: L16

Location: Lower Town, at the very northern end of the Bay Road where it starts to curve upwards

Address: Bay Road

Cadastral:

#### **L17**

Object name: Crooks Castle

Object Number: L17

Location: Gallows Bay, about one-and-a-half mile south of the large pier

Address:

Cadastral:

#### **L18**

Object name: Old Pier

Object Number: L18

Location: Lower Town, stretching from the Customs House into the sea

Address: Bay Road

Cadastral:

#### **R02**

Object name: New Path, Nieuwe Pad, Tompy Hill Head

Object Number: R02

Location: At the end of Kerkweg, leading from the end of Upper Town opposite Rosemarylaan to Lower Town behind

Blue Bead Restaurant

Address: New Path

Cadastre:

#### **U59**

Object name: Sprott's House

Object Number: U59

Location: In the historic core of Oranjestad

Address: Wilhelminaweg 1

Cadastre: C 8/97

#### **U58**

Object name: (Park Place)

Object Number: U58

Location: In the historic core of Oranjestad

Address: MB K3/1961; C15/14

Cadastre: C 8/97

#### **U70**

Object name: (Green and White Cove)

Object Number: U70

Location: In the historic core of Oranjestad

Address: Fort Oranjestraat 10

Cadastre: RB 4/1956; E2/272

Owner(s):

#### **U26**

Object name: Evening Rest

Object Number: U26

Location: In the historic core of Oranjestad with the front façade on Synagoegpad and the back façade on Bredeweg

Address: Synagoge pad 9

Cadastre: E3/30

#### **U71**

Object name:

Object Number: U71

Location: In the historic core of Oranjestad

Address: Wilhelminaweg 3

Cadastre:

#### **U27**

Object name: (Miss Olive Woods' House)

Object Number: U27



Location: In the historic core of Oranjestad

Address: Bredeweg 4

Cadastral: E3/52

#### **U45**

Object name:

Object Number: U45

Location: In the historic core of Oranjestad

Address: corner Bredeweg/Evertsweg

Cadastral:

#### **U46**

Object name:

Object Number: U46

Location: In the historic core of Oranjestad

Address: Synagogeplaat 11

Cadastral:

#### **U22**

Object name: Duinkerker's House

Object Number: U22

Location: In the historic core of Oranjestad

Address: corner Synagogeplaat/Evertsweg

Cadastral: MB 9/1964

#### **U23**

Object name: Mozes' House

Object Number: U23

Location: In the historic core of Oranjestad

Address: corner Kerkweg/Evertsweg

Cadastral: E2/285

#### **U47**

Object name: Van Zanten's grocery

Object Number: U47

Location: In the historic core of Oranjestad

Address: Kerkweg

Cadastral: RB9/1950; E3/97

#### **U72**

Object name:

Object Number: U72

Location: In the historic core of Oranjestad

Address: Kerkweg, behind the Sand Box Bakery on the left, on the same plot

Cadastre: RB 11/1949

#### **U50**

Object name: Lutheran church ruins

Object Number: U50

Location: In the southern extension of historic Upper Town, Oranjestad

Address: Vannesweg, on the plot of land between E.C. Flander Road and Black Harry Lane

Cadastre:

#### **U63**

Object name: Bethel Methodist Church

Object Number: U63

Location: In Upper Town, Oranjestad

Address: Corner Black Harry Lane and Kapelweg

Cadastre:

#### **C04**

Object name: Anglican cemetery

Object Number: C04

Location: In Upper Town, on the corner of Binckesweg/Black Harry Lane, opposite the Methodist Church

Address: Binckesweg

Cadastre:

#### **C02**

Object name: Jewish cemetery

Object Number: C02

Location: On the eastern edge of Upper Town, southeast of the intersection of Merkman Weg and Prinses Weg

Address:

Cadastre:

#### **U73**

Object name:

Object Number: U73

Location: In the beginning of the eastern Upper Town extension of 1739/1740, adjacent to the Methodist church yard on Kapelweg

Address: Kapelweg

Cadastre:

#### **U17**

Object name: (Timmer's House)

Object Number: U17

Location: In Upper Town, Oranjestad

Address: Kerkweg

Cadaastre:

### **U18**

Object name: (Pompier's House)

Object Number: U18

Location: In the southern part of Upper Town, Oranjestad

Address: Kerkweg 25

Cadaastre:

### **U21**

Object name: Wilhelmina Park

Object Number: U21

Location: In the southern part of Upper Town, Oranjestad

Address: Wilhelmina Park

Cadaastre:

### **U28**

Object name: Mussenden House, also Miss Consie's House or Voges House

Object Number: U28

Location: In the historic core of Oranjestad

Address: Bredeweg

Cadaastre:

### **U30**

Object name: (Ellis' House)

Object Number: U30

Location: In Upper Town, Oranjestad

Address: Corner Logeweg/Prinsesweg

Cadaastre:

### **U33**

Object name: Original Fruit Tree Restaurant

Object Number: U33

Location: In Upper Town, Oranjestad

Address: Prinsesweg 5

Cadaastre:

### **U35**

Object name: Barber shop

Object Number: U35

Location: In Upper Town, Oranjestad

Address: Corner Kruisweg/Prinsesweg (nr. 17?)

Cadastre:

### **U37**

Object name: (Stella Hassel's house)

Object Number: U37

Location: In Upper Town, Oranjestad

Address: Kapelweg (on the lower end of the south side)

Cadastre:

### **U38**

Object name: Old Public School

Object Number: U38

Location: In southern part of Upper Town, Oranjestad

Address: Bredeweg between Binckesweg and Vannesweg

Cadastre:

### **U39**

Object name: China House

Object Number: U39

Location: In southern part of Upper Town, Oranjestad

Address: Northeast corner Vannesweg/E.C. Flander Road

Cadastre:

### **U43**

Object name: Miss Busby's House

Object Number: U43

Location: In the historic core of Oranjestad

Address: Prinsesweg 3

Cadastre: E4/94

### **U42**

Object name: (Miss Busby's storage house, also Miss Louise's house)

Object Number: U42

Location: In the historic core of Oranjestad

Address: Prinsesweg (1?)

Cadastre: RB 4/1948; E3/27

### **C08**

Object name: Roman Catholic Cemetery

Object Number: C08

Location: On the west side of Van Tonningeweg, between Salem cemetery and Kings Well Resort

Address: Van Tonningeweg

Cadastre:

**W04**

Object name: King's Well

Object Number: W04

Location: Within the curve of the northern end of Bay Road

Address: Bay Road

Cadastre:

**W02**

Object name: Samson's Well (also Sampson's Well)

Object Number: W02

Location: On the cliff side of the Bay Road, towards its northern end

Address: Bay Road

Cadastre:

**U75**

Object name:

Object Number: U75

Location: In eastern part of Upper Town, Oranjestad

Address: Fort Oranjestraat

Cadastre:

**U40**

Object name: Old Allruns

Object Number: U40

Location: In the southern part of Upper Town, Oranjestad

Address: Flander Road (21?)

Cadastre:

**U74**

Object name: DP building

Object Number: U74

Location: In the center of Upper Town, Oranjestad

Address: Fort Oranjestraat

Cadastre:

**U48**

Object name: Hillman's House

Object Number: U48

Location: In the center of Upper Town, Oranjestad

Address: Fort Oranjestraat/corner Logeweg

Cadastre:

**U41**

Object name: Pandt's House

Object Number: U41

Location: In historic Upper Town, Oranjestad

Address: Prinsesweg, south side, between Black Harry Lane and Kruisweg

Cadastral:

**U57**

Object name: (The nursery)

Object Number: U57

Location: In the center of historic Upper Town

Address: Breedeweg/ south corner Prinsesweg

Cadastral:

Owner(s):

**U60**

Object name: Old Market

Object Number: U60

Location: In the center of Upper Town, Oranjestad, at the end of the Bay Path

Address: Paramiraweg/Damsteeg

Cadastral:

**P12**

Object name: The Mansion

Object Number: P12

Location: At the top of Oranjestad, in the corner formed by Mansionweg and Lodi Road

Address: Mansionweg

Cadastral:

**P02**

Object name: Princess

Object Number: P02

Location: At the top of Oranjestad, little more than 50 meters from the end of Prinsesweg.

Address:

Cadastral:

**U54**

Object name:

Object Number: U54

Location: Cliff edge of Upper Town Oranjestad, between extension of Sandy Road, the cliff, the Kingswell Resort and Salem Public Cemetery

Address: Van Tonningeweg?

Cadastral:

**P01**

Object name: Plantation Zeelandia

Object Number: P01

Location: Country side, area called Zeelandia

Address:

Cadastre:





## Besluittekst