



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/12590

Our File Reference Number: Erf 3199, Stellenbosch

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: [Ulrich.Vonmolendorff@stellenbosch.gov.za](mailto:Ulrich.Vonmolendorff@stellenbosch.gov.za)

## PER E-MAIL:

Sir / Madam

### APPLICATION FOR A DEPARTURE: ERF 3199, 26 OLD HELSHOOGTE ROAD, STELLENBOSCH

1. The above application refers,
2. The duly authorised decision maker has decided on the above application as follows:

2.1 That the application for a **departure** on Erf 3199, Stellenbosch in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 in order to relax the common building line (adjacent to erf 3200, Stb) from **2.5m** to **1.3m** to accommodate additions on Erf 3199 as indicated on drawing no. 100 drawn by RDC Design co Architectural Technologist, dated 20 May 2020;

**BE APPROVED** in terms of Section 60 of the said bylaw, subject to conditions in terms of Section 66 of the said Bylaw.

3. **Conditions of approval:**
  - (a) The approval shall lapse if not acted upon within a period of **five years** from the date of approval;
  - (b) The approval shall be taken to cover only the departure applied for and shall not be construed as authority to depart from any other Council requirements or legal provisions;

- (c) Building plans must be submitted to this Municipality for approval prior to any building work commencing on site.

4. **The reasons for the above decision are as follows:**

- (a) The proposal does not undermine the character of the area to which it relates and there will be no material impact on the existing rights of the neighbouring properties with regards to views, privacy, etc.
- (b) The proposed development is not seen to be out of scale or character with its surroundings.

5. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015, of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

6. Appeals must be submitted with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law. The following prescribed information is accordingly required:

(a) The personal particulars of the Appellant, including:

- (I) First names and surname;
- (II) ID number;
- (III) Company of Legal person's name (if applicable)
- (IV) Physical Address;
- (V) Contact details, including a Cell number and E-Mail address;

(b) Reference to this correspondence and the relevant property details on which the appeal is submitted.

(c) The grounds of the appeal which may include the following grounds:

- (i) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000);
- (ii) grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.

- (d) whether the appeal is lodged against the whole decision or a part of the decision;
- (e) if the appeal is lodged against a part of the decision, a description of the part;
- (f) if the appeal is lodged against a condition of approval, a description of the condition;
- (g) the factual or legal findings that the appellant relies on;
- (h) the relief sought by the appellant; and
- (i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;
- (j) That the appeal includes the following declaration by the Appellant:
  - (i) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
  - (ii) That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.

7. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address: [landuse.appeals@stellenbosch.gov.za](mailto:landuse.appeals@stellenbosch.gov.za)
8. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
9. The approved tariff structure may be accessed and viewed on the municipal website (<https://www.stellenbosch.gov.za/documents/finance/rates-and-tariffs>) and the banking details for the General Account can also be accessed on the municipal website (<https://www.stellenbosch.gov.za/documents/general/8314-stellenbosch-municipality-banking-details-1/file>).
10. An applicant who lodge an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

- (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
- (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
- (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
- (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.

11. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

12. Kindly note the above decision is suspended, and in the case of any approval, may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully



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**FOR: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT**

7/09/2021  
**DATE**

**GENERAL NOTES**

**GENERAL**  
 ALL WORK TO BE DONE IN ACCORDANCE WITH THE CITY OF IDAHO'S BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES. ALL CONTRACTORS SHALL BE RESPONSIBLE TO OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF IDAHO. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF IDAHO'S BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES. ALL CONTRACTORS SHALL BE RESPONSIBLE TO OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF IDAHO.

**NOTES**

1. CONTRACTOR SHALL BE RESPONSIBLE TO OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF IDAHO.  
 2. CONTRACTOR SHALL BE RESPONSIBLE TO OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF IDAHO.  
 3. CONTRACTOR SHALL BE RESPONSIBLE TO OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF IDAHO.  
 4. CONTRACTOR SHALL BE RESPONSIBLE TO OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF IDAHO.

**PERMITS**

CONTRACTOR SHALL BE RESPONSIBLE TO OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF IDAHO. ALL PERMITS SHALL BE OBTAINED PRIOR TO THE START OF CONSTRUCTION. ALL PERMITS SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.

**FINISHES**

ALL FINISHES SHALL BE IN ACCORDANCE WITH THE CITY OF IDAHO'S BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES. ALL FINISHES SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.

**CONCRETE**

ALL CONCRETE SHALL BE PLACED AND FINISHED IN ACCORDANCE WITH THE CITY OF IDAHO'S BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES. ALL CONCRETE SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.

**ROOFING**

ALL ROOFING SHALL BE IN ACCORDANCE WITH THE CITY OF IDAHO'S BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES. ALL ROOFING SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.

**MECHANICAL**

ALL MECHANICAL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF IDAHO'S BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES. ALL MECHANICAL WORK SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.

**ELECTRICAL**

ALL ELECTRICAL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF IDAHO'S BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES. ALL ELECTRICAL WORK SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.

**PAINTING**

ALL PAINTING SHALL BE IN ACCORDANCE WITH THE CITY OF IDAHO'S BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES. ALL PAINTING SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.

**LANDSCAPING**

ALL LANDSCAPING SHALL BE IN ACCORDANCE WITH THE CITY OF IDAHO'S BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES. ALL LANDSCAPING SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.

**GENERAL**

ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF IDAHO'S BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES. ALL WORK SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.

**CONTRACTOR**

ALL CONTRACTORS SHALL BE RESPONSIBLE TO OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF IDAHO. ALL CONTRACTORS SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.

**OWNER**

ALL OWNERS SHALL BE RESPONSIBLE TO OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF IDAHO. ALL OWNERS SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.

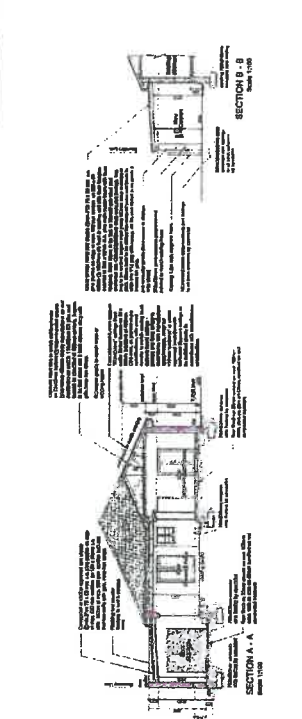
**ARCHITECT**

ALL ARCHITECTS SHALL BE RESPONSIBLE TO OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF IDAHO. ALL ARCHITECTS SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.

**DATE**

ALL DATES SHALL BE IN ACCORDANCE WITH THE CITY OF IDAHO'S BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES. ALL DATES SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.

ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE
1	Excavation	100	cu yd	10.00
2	Foundation	100	sq ft	10.00
3	Roofing	100	sq ft	10.00
4	Interior Finishes	100	sq ft	10.00
5	Exterior Finishes	100	sq ft	10.00
6	Landscaping	100	sq ft	10.00
7	Other	100	sq ft	10.00



**PROPOSED ADDITIONS TO EXISTING HOUSE**

1. THE PROPOSED ADDITIONS SHALL BE IN ACCORDANCE WITH THE CITY OF IDAHO'S BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.

2. THE PROPOSED ADDITIONS SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.

3. THE PROPOSED ADDITIONS SHALL BE OBTAINED FROM THE CITY OF IDAHO.

4. THE PROPOSED ADDITIONS SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.

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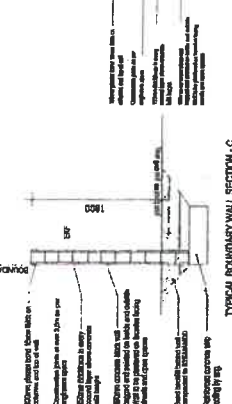
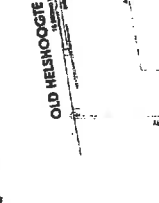
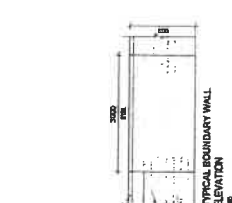
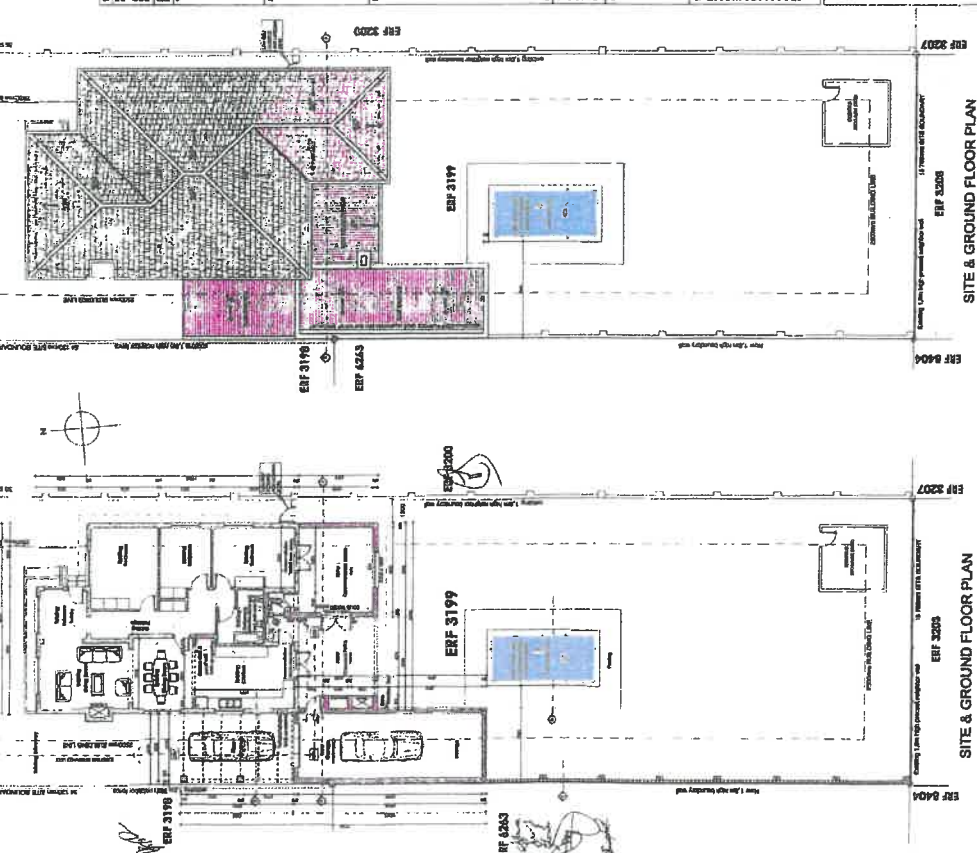
7. THE PROPOSED ADDITIONS SHALL BE OBTAINED FROM THE CITY OF IDAHO.

8. THE PROPOSED ADDITIONS SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.

9. THE PROPOSED ADDITIONS SHALL BE OBTAINED FROM THE CITY OF IDAHO.

10. THE PROPOSED ADDITIONS SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.

PROJECT NO.	CC 2519	DATE	1:00 PM A0
SCALE	100	DATE	20/05/2020
NO.	00	DATE	RDC



**HOUSE SAMPSON**

**PROPOSED ADDITIONS TO EXISTING HOUSE**

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