



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/9944

Our File Reference Number: Erf 6457, Stellenbosch

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: exactplan@gmail.com

Sir

FILE NR:	OUTGOING POST
Erf 6457SB	LU/9944
SCAN NR:	
COLLABORATOR NR:	

APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITION, ADMINISTRATOR'S PERMISSION IN TERMS OF THE RESTRICTIVE TITLE DEED CONDITION AND A SPECIAL DEVELOPMENT: ERF 6457, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the following applications in terms of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015, on Erf 6457, Stellenbosch:
 - a) **Removal of restrictive title deed conditions** in terms of Section 15(2)(f) of the said Bylaw in order to accommodate the proposed additional dwelling that exceeds title deed building line, the restrictions to be removed read as follows:

B.6(ii)(a) "No building or structure or any portion thereof, except for boundary walls and fences shall be erected nearer than 9.45 metres to any boundary of this erf"
 - b) **Special Development** in order to construct a second dwelling unit.
 - c) Administrator's consent in terms of the title deed condition B.6.(i) in order to permit the second dwelling unit in accordance with the zoning scheme. The title deed condition reads as follows:

B.6.(i) "This erf shall be used solely for the purpose of erecting thereon one dwelling, a residential building or an institution or other buildings for such purposes as the

Administrator may from time to time, after reference to the Townships Board and the local authority approve, provided that if the erf is included within the area of a Town Planning Scheme, the local authority may permit such other uses as are permitted by the scheme, subject to the conditions and restrictions stipulated by the scheme."

BE APPROVED SUBJECT to conditions in terms of Section 66 of the said Bylaw.

3. Conditions of approval

- a) That this approval applies only to the application in question as per floor layout Plan 0866-terreblanche-stb6457-20190301 dated 29 October 2019 and drawn by Exact Plan and shall not be construed as authority to depart from any legal prescriptions or requirements;
- b) That parking must be provided on-site as indicated on site plan 0866-terreblanche-stb6457-20190301 dated 29 October 2019 and drawn by Exact Plan;
- c) The existing water and sewer connection must be utilized for the proposed development; no upgrade in the size of the connection will be allowed unless agreed to by the Water Services Department;
- d) Development charges is payable by the developer in accordance with and as at the time of the annually approved tariffs of this Municipality;
- e) Any changes to the existing civil engineering services of Stellenbosch Municipality is for the account of the owner;
- f) If upgrade is required, Bulk Levy contributions are payable;
- g) Prepaid metering system shall be installed in the new building;
- h) Installation cost for the new electrical services will be for the account of the property owner;
- i) Building plans be submitted for approval.

4. Reasons for approval

- a) The proposed removal of the relevant restrictive title deed conditions will enable the owner to develop the property according to its zoning and potential;
- b) The proposal is in line with the residential character of the area and is supported from the town planning point of view as it will be in keeping with surrounding land uses in the subject area.

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

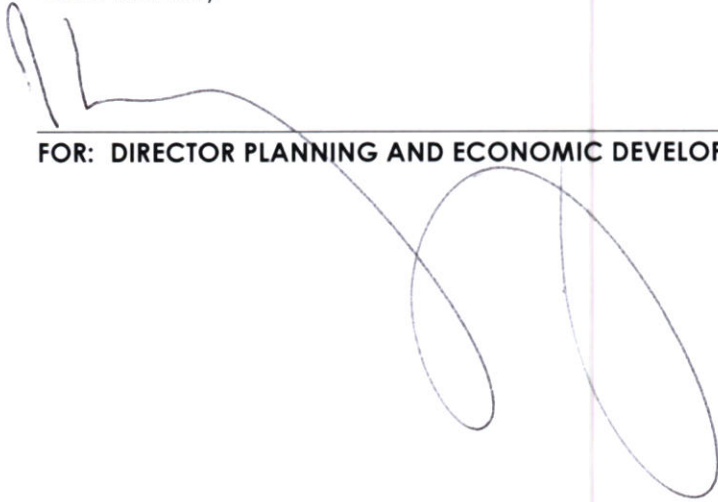
(i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;

(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: Lenacia.Kamineth@stellenbosch.gov.za
 8. An applicant 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

A handwritten signature in blue ink, consisting of a series of loops and curves, positioned above a horizontal line.

FOR: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

19/1/2021
DATE:



STELLENBOSCH
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ANNEXURE C

**(REMOVAL OF A RESTRICTIVE TITLE DEED CONDITION, ADMINISTRATOR'S CONSENT TO RELAX
THE RESTRICTIVE TITLE DEED CONDITION AND A SPECIAL DEVELOPMENT: ERF 6457,
STELLENBOSCH)**

SITE DEVELOPMENT PLAN

LOCAL AUTHORITY APPROVAL:

APPROVAL:

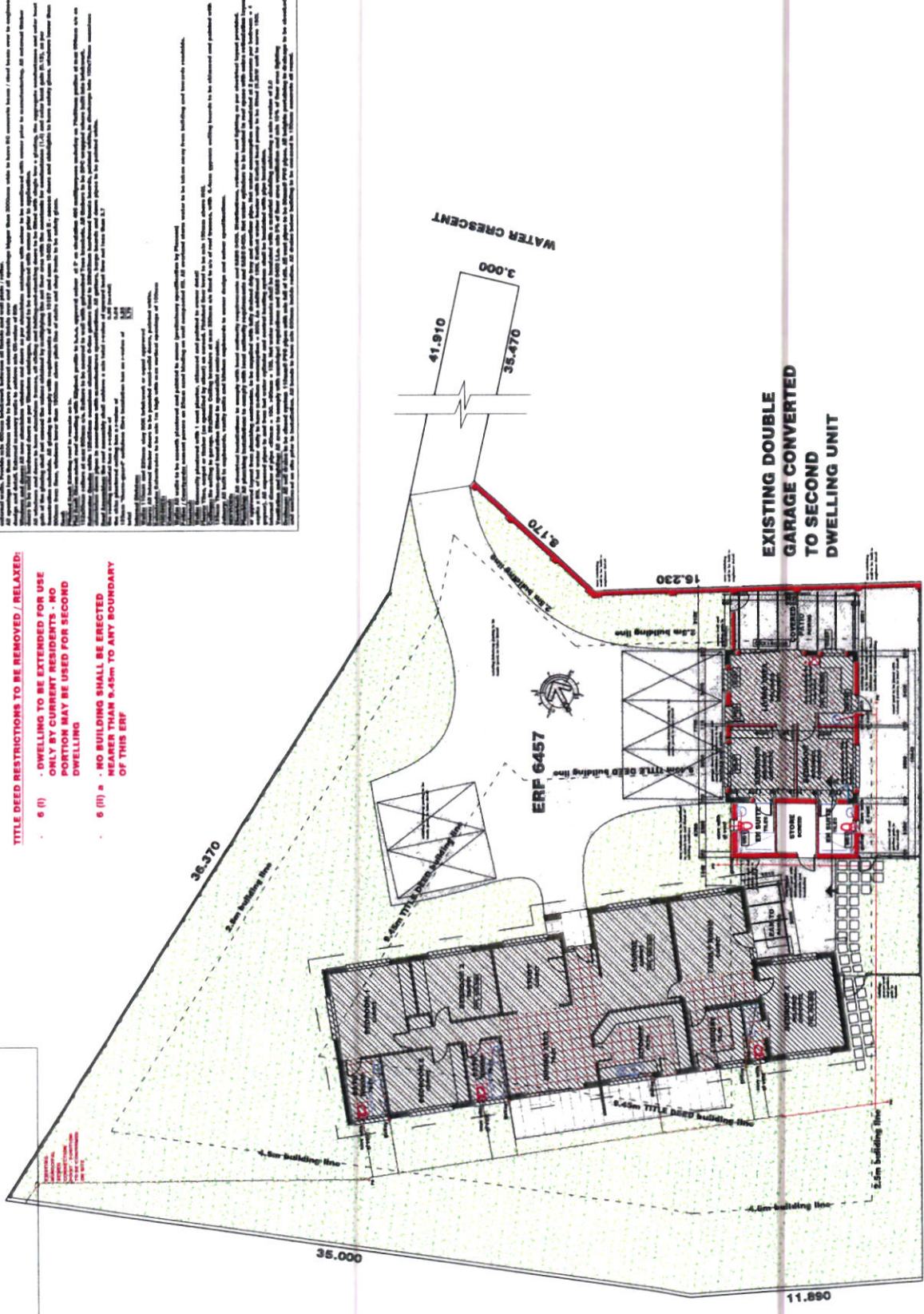
document
date:
draughtsperson:
date:

- TITLE DEED RESTRICTIONS TO BE REMOVED / RELAXED:**
- 6 (f) - DWELLING TO BE EXTENDED FOR USE ONLY BY CURRENT RESIDENTS - NO OTHERS MAY BE USED FOR SECOND DWELLING
 - 6 (j) a - NO BUILDING SHALL BE ERRECTED NEARER THAN 9.45m TO ANY BOUNDARY OF THIS ERF

SPECIFICATIONS:

The applicant is required to provide a detailed site plan showing the proposed building footprint, setbacks, and any other relevant information. The site plan must be submitted to the Council for approval. The applicant is also required to provide a detailed site plan showing the proposed building footprint, setbacks, and any other relevant information. The site plan must be submitted to the Council for approval.

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PROPOSED EXTENSIONS

SITE AND FLOOR PLAN SCALE 1:100

HOUSE TERREBLANCHE

CLIENT: MR C TERREBLANCHE
 PROPERTY: ERF 6457
 ADDRESS: 4 WATER CREST
 DRAWING: COUNCIL SUBMISSION

PARAMETERS:

EXISTING:	1:1000
PROPOSED:	1:1000
TOTAL:	1:1000
TOTAL AREA:	17.00m ²
TOTAL FOOTPRINT:	14.00m ²
COVERAGE ALLOWED:	82.35%
COVERAGE ACTUAL:	82.35%

REVISIONS:

A	change above	date	person
B	change above	date	person
C	change above	date	person
D	change above	date	person

DRAWING NUMBER:

SCALE:	PAGE:	DATE:
1:100	1 of 1	2018-12-18

MICHELLE DE BRUYN
 SACAP REG NO: PAD 24744814
 102 DE HULK WAY
 PENHILL ESTATE
 TEL: 072 3748 123
 EMAIL: EXACTPLAN@GMAIL.COM

APPROVAL:
 owner:
 date:
 draughtsperson:
 date:

PARAMETERS:
 SUBSTRATE:
 TOTAL:
 FINISH:
 TOTAL:
 TOTAL AREA:
 SITE AREA:
 COVERAGE ALLOWED:
 COVERAGE ACTUAL:

PLEASE NOTE:
 THIS DRAWING IS FOR INFORMATION ONLY AND MAY NOT BE USED AS
 A CONTRACT DOCUMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR
 OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE LOCAL AUTHORITY
 PRIOR TO THE STARTING OF ANY WORKING.

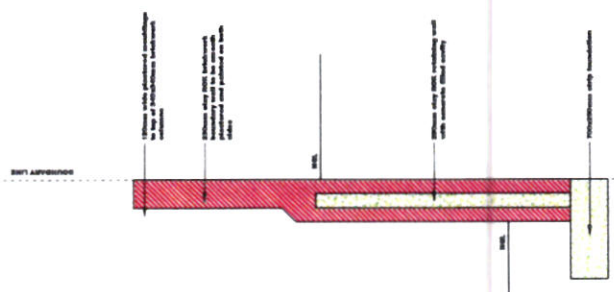
HOUSE TERREBLANCHE

CLIENT: MR C TERREBLANCHE
 PROPERTY: ENF 6457
 ADDRESS: 8 WATER CRESCENT
 ROSERDAL
 DRAWING: COUNCIL SUBMISSION

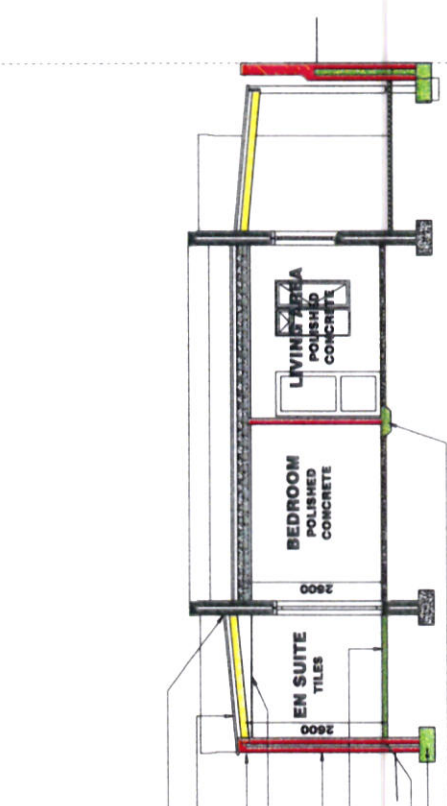
REVISIONS:
 1. A change done
 2. B change done
 3. C change done
 4. D change done

SCALE: 1:100
 DATE: 2018-10-29
 PAGE: 3 of 3

E ACT PLAN
 MICHELLE DE BRUYN
 SACAP REG NO: PAD 24744814
 102 DE HULK WAY
 PENHILL ESTATE
 TEL: 072 3748 123
 EMAIL: EXACTPLAN@GMAIL.COM
 COPYRIGHT SUBSIST IN THE DRAWING AND REMAINS THE PROPERTY
 OF THE ARCHITECT



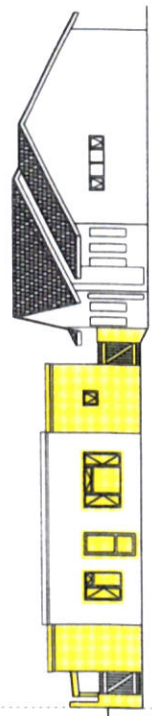
• DETAIL OF RETAINING WALL
 SCALE 1:30



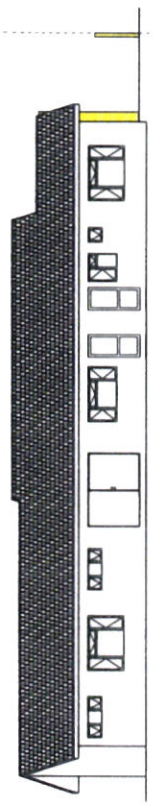
• SECTION A-A
 SCALE 1:50



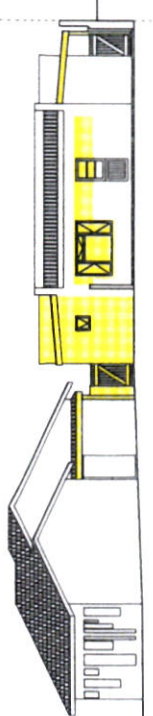
• NORTH EAST ELEVATION
 SCALE 1:100



• NORTH WEST ELEVATION
 SCALE 1:100



• SOUTH WEST ELEVATION
 SCALE 1:100



• SOUTH EAST ELEVATION
 SCALE 1:100