

STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14785

Our File Reference Number: Erf 10519, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: [REDACTED]

Sir/Madam

APPLICATION FOR DEPARTURE IN TERMS OF SECTIONS 15(2)(b) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW, 2023 ON ERF 10519, 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 application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning By-Law, 2023 on Erf 10519, Stellenbosch:
 - 2.2 That the application for permanent departure in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-law 2023 to permit a boundary wall to be 3.1m in lieu of 2.1m on Erf 10519, Stellenbosch.

BE REFUSED in terms of Section 60 of the said By-Law and subject to conditions of approval.

3. The reasons for the above decision are as follows:
 - 3.1 The proposed boundary wall will have a negative impact on the streetscape.
 - 3.2 The high, visually impermeable street boundary walls in the area detract from the character of the area and create a canyon-type effect along some parts of the roads.
4. That the following application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning By-Law, 2023 on Erf 10519, Stellenbosch:

4.1 That the application for permanent departure in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-law 2023 to relax the street building line from 3m to 0.5m for the construction of a braai on Erf 10519, Stellenbosch.

BE APPROVED in terms of Section 60 of the said By-Law and subject to conditions of approval.

5. The approval is subject to the following **conditions** imposed in terms of Section 66 of the said Bylaw:

5.1 The approval only applies to the proposed building line departure under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or By-laws or Regulations that may be applicable.

5.2 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.

5.3 Building plans must be generally in accordance with the site plan / floor layout plan as referenced HM/22/03/021A1, drawn by D. BENJAMIN, dated March 2022 attached as Annexure B.

6. The reasons for the above decision are as follows:

6.1 The proposal is in line with the existing land use of the property and will not have a negative impact on the character of the surrounding area.

7. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw 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.

8. 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:

8.1 The personal particulars of the Appellant, including:

- a) First names and surname
- b) ID number
- c) Company of Legal person's name (if applicable)
- d) Physical Address

e) Contact details, including a Cell number and E-Mail address

9. Reference to this correspondence and the relevant property details on which the appeal is submitted.

8.1 The grounds of the appeal which may include the following grounds:

- a) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)
- b) 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.

8.2 Whether the appeal is lodged against the whole decision or a part of the decision.

8.3 If the appeal is lodged against a part of the decision, a description of the part.

8.4 If the appeal is lodged against a condition of approval, a description of the condition.

8.5 The factual or legal findings that the appellant relies on.

8.6 The relief sought by the appellant.

8.7 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.

8.8 That the appeal includes the following declaration by the Appellant:

- a) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
- b) 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.

10. 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

11. 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.

12. The approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@stellenbosch.gov.za

13. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

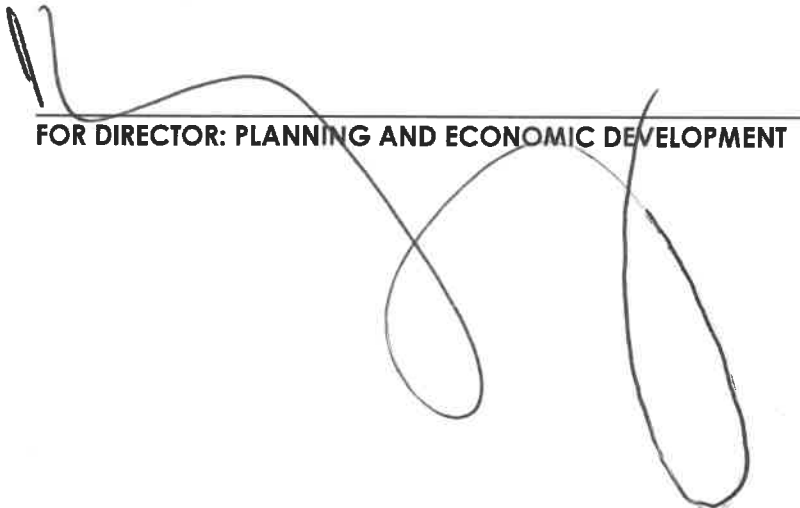
- (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.

- (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.

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

15. Kindly note the above decision in the case of any approval, is suspended, and 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



FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

15/1/2024
DATE

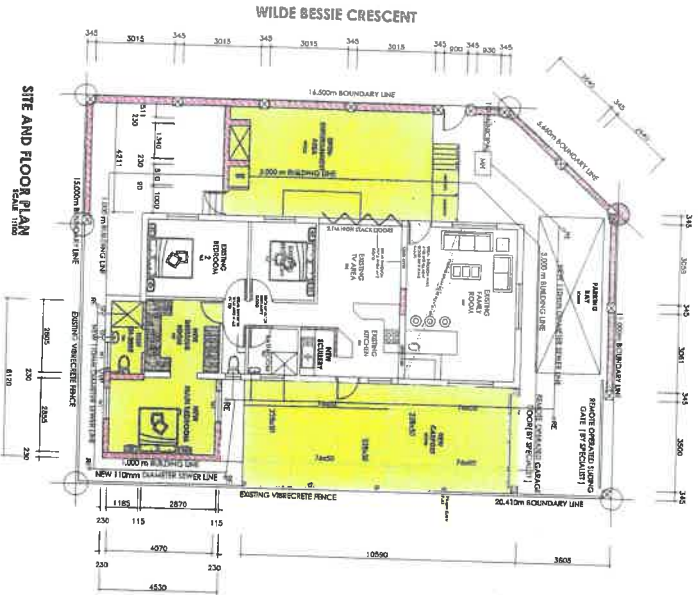


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ANNEXURE B

SITE PLAN / FLOOR LAYOUT PLANS

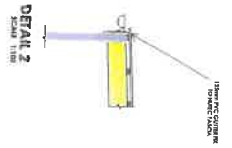


SITE AND FLOOR PLAN
SCALE 1:1000

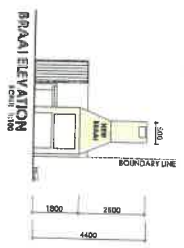
GENERAL INFORMATION	
PROJECT NAME	PROPOSED NEW ADDITIONS AND ALTERATIONS ON ERF 13376, WILDE BESSIE CRESCENT, STELLENBOSCH.
CLIENT	HOUSE MOSES
DATE	15/03/2024
SCALE	1:1000
DESIGNER	DEREK VAN DER MERWE
CHECKED BY	S. BIRCHALL
SCALE	AS SHOWN

MATERIALS	
WALL	200mm BRICKWORK
FLOOR	150mm SAND AND 100mm CONCRETE
CEILING	150mm SAND AND 100mm CONCRETE
ROOF	150mm SAND AND 100mm CONCRETE
GLAZING	6mm CLEAR GLASS ON 150mm SAND AND 100mm CONCRETE
PAINT	EXTERIOR: WHITE; INTERIOR: WHITE

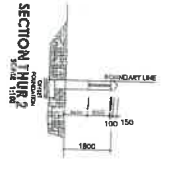
SPECIFICATIONS	
ROOF	150mm SAND AND 100mm CONCRETE
WALL	200mm BRICKWORK
FLOOR	150mm SAND AND 100mm CONCRETE
CEILING	150mm SAND AND 100mm CONCRETE
ROOF	150mm SAND AND 100mm CONCRETE
WALL	200mm BRICKWORK
FLOOR	150mm SAND AND 100mm CONCRETE
CEILING	150mm SAND AND 100mm CONCRETE



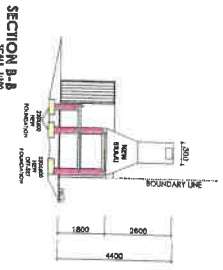
DETAIL 2
SCALE 1:100



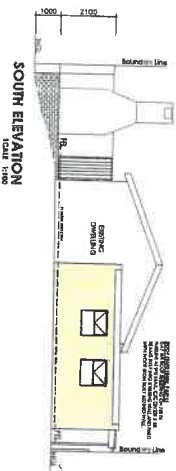
SECTION A-A
SCALE 1:100



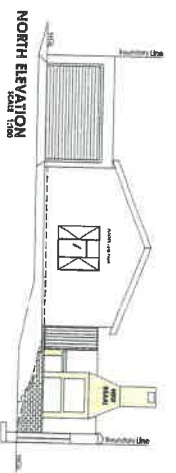
SECTION B-B
SCALE 1:100



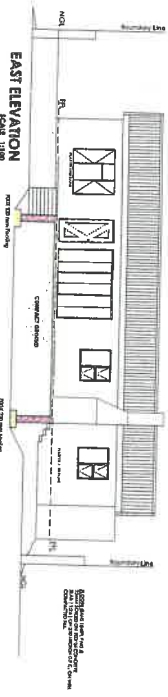
SECTION B-B
SCALE 1:100



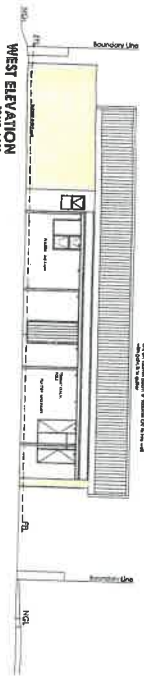
SOUTH ELEVATION
SCALE 1:100



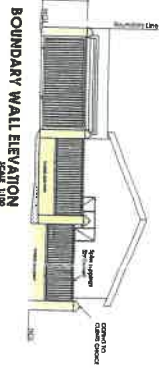
NORTH ELEVATION
SCALE 1:100



EAST ELEVATION
SCALE 1:100



WEST ELEVATION
SCALE 1:100



BOUNDARY WALL ELEVATION
SCALE 1:100

COVERAGE CALCULATIONS		AREA
SITE AREA		300,00m ²
EXISTING DWELLING		92,83m ²
NEW ADDITIONS		
NEW BEDROOM	8,30m ²	
NEW ENTERTAINMENT AREA	44,47m ²	
NEW CARPORT	37,05m ²	
ALTERATIONS TO EXISTING HOUSE		
NEW EN SUITE	3,10m ²	
NEW PASSAGE	4,90m ²	
NEW SCULLERY	3,00m ²	
ALTERATION TO BATHROOM	3,20m ²	
ALTERATION TO TV AREA	13,20m ²	
ALTERATION TO FAMILY ROOM	2,00m ²	
TOTAL ALTERATIONS		27,40m ²
TOTAL FOOTPRINT		182,45m ²
COVERAGE		47,98 %

PLEASE DO NOT SCALE FROM DRAWINGS. SCALED DRAWING ARE ALWAYS CHECK ALL DIMENSIONS BEFORE ANY DECISIONS ARE MADE. WORK OFFICE IN THE EVENT OF BILLING EXCEEDING A 10% AVOID FROM CONSULT A STRUCTURAL ENGINEER TO ALL INFORMATION ON THIS SITE IS THE PROPERTY OF HOUSE MOSES AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

HOUSE MOSES (Pty) Ltd
153/1531 ON 25/10/2024 D.P.C. ON WELL
25/10/2024 ON 10/04/2024
25/10/2024 ON 10/04/2024
25/10/2024 ON 10/04/2024
25/10/2024 ON 10/04/2024

STORMWATER DRAINAGE: 150mm PVC RIBBON DRAIN WITH 100mm PVC MANHOLE AND 100mm PVC DOWNPIPE TO ROAD.
SEWERAGE: 150mm PVC RIBBON DRAIN WITH 100mm PVC MANHOLE AND 100mm PVC DOWNPIPE TO ROAD.
WATER SUPPLY: 150mm PVC RIBBON DRAIN WITH 100mm PVC MANHOLE AND 100mm PVC DOWNPIPE TO ROAD.
WATER SUPPLY: 150mm PVC RIBBON DRAIN WITH 100mm PVC MANHOLE AND 100mm PVC DOWNPIPE TO ROAD.

MANUFACTURER: LANS 1000, PART B1
APPROVED BY: V.C. GIBBS AND Z.M. DAMBER
FOUNDATION: ALL WALLS TO BE TYPICAL FOUNDATION.

FOR SUBMISSION

HOUSE MOSES

PROPOSED NEW ADDITIONS AND ALTERATIONS ON ERF 13376, WILDE BESSIE CRESCENT STELLENBOSCH.

DRAWN BY	DEREK VAN DER MERWE
CHECKED BY	S. BIRCHALL
SCALE	AS SHOWN

DATE