



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/12836

Our File Reference Number: Erf 1056, 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 THE ADMINISTRATOR'S CONSENT IN TERMS OF THE TITLE DEED CONDITION: ERF 1056, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 The **Administrator's consent** to relax the following restrictive title deed condition, Clause D(iii)(c) & (d), as contained in Title Deed T036991/2004 (attached as **Annexure B**),
 - 2.1.1 To relax both lateral Title Deed building lines from **3.15m to 0m** and from **3.15m to 1,5m** respectively to enable the construction of a carport and a braai area on Erf 1056, Buitekring Street, Dalsig Stellenbosch, as indicated on Drawing, drawn by Chris Jacobs Architecture CC, dated: Nov 2020, Project No: D20.11-203, Page 1 OF 2 pages, See **Annexure C**;
 - 2.1.2 To relax the rear Title Deed building line from **3,15m to 2,1m** to accommodate the en-suite bathroom on Erf 1056, Buitekring Street, Dalsig Stellenbosch, as indicated on Drawing, drawn by Chris Jacobs Architecture CC, dated: Nov 2020, Project No: D20.11-203, Page 1 OF 2 pages, See **Annexure C**;

2.1.3 To allow a coverage of **39.7%** in lieu of the **33,3%** as prescribed by the Title Deed, in order to facilitate the proposed additions on Erf 1056, Buitekring Street, Dalsig Stellenbosch, as indicated on Drawing, drawn by Chris Jacobs Architecture CC, dated: Nov 2020, Project No: D20.11-203, Page 1 OF 2 pages, See **Annexure C**.

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 applies only to the proposal in question and shall not be construed as authority to depart from any other Council requirements or legal provisions;
- (b) 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 is in keeping with the current land use of the subject property.
- (b) The proposal does not have a negative impact on the character of the area.
- (c) It is a logical extension to the residential activity and will add value to the existing building.

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

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

FOR: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

5/11/2021
DATE:

11

Buchanan Boyes (EVR)
4th Floor Southern Life Centre
8 Riebeeck Street
Cape Town

Prepared by me

E Hamman
CONVEYANCER
E HAMMAN

SEELREG DUTY	R.
FOOI FEE	R. <u>400,00</u>

[Handwritten signature]

VERBIND MORTGAGED	
VIR FOR <u>R 700 000,00</u>	
B000029148 / 2004	
23 APR 2004	REGISTRAR/REGISTRAR

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT:

000036991 / 2004

~~MANDY LYNNE CUPIDO~~

appeared before me, Registrar of Deeds, at Cape Town, the said appearer being duly authorised thereto by a Power of Attorney granted to him by

SUN HI KIM

Identity Number 550428 0233 18 6

Married, which marriage is governed by the Laws of South Korea

which said Power of Attorney was signed **STELLEN BOSCH** on **6TH February 2004**

eiendom in met die doel om riool-, inspeksieputte, vore, waterleidings en ander werke behorende daartoe te bou, onderhou, verander, verwyder of te inspekteer.

(iii) Hierdie erf is onderhewig aan die volgende verdere voorwaardes; met dien verstande dat indien die Administrateur, na oorleg met die Dorpekommissie en die plaaslike owerheid, dit raadsaam ag dat die beperking in enige sodanige voorwaarde te eniger tyd ^{remore or relax} opgeskort of versag behoort te word, ho die nodige opskorting of versagting kan goedkeur onderworpe aan die voorwaardes wat hy oplê:-

(a) dit mag nie onderverdeel word nie;

(b) dit mag alleen gebruik word vir die doel om een woning tesame met die buitegeboue wat gewoonlik in verband daarmee gebruik word daarop op te lig;

(c) op nie meer as een-derde van die oppervlakte daarvan mag bebou word nie; Coverage = 33,39%

(d) geen gebou of struktuur of enige gedeelte daarvan, behalwe grensmure en heinings mag nader as 6,30 meter van die straatlyn wat 'n grens van hierdie erf vorm, opgerig word nie, ook nie binne 3,15 meter van die agtergrens of sygrens van 'n aangrensende erf nie; met dien verstande dat 'n buitegebou met die toestemming van die plaaslike owerheid op die voorgeskrewe ruimte langs die agtergrens opgereig mag word, mits sodanige buitegebou nie 'n hoogte van 3,05 meter te bowe gaan nie, watter hoogte gemeet moet word van die vloer tot die ankerplaat, en mits geen gedeelte daarvan vir bewoningsdoeleindes deur mense aangewend word nie. By konsolideering van enige twee of meer erwe sal hierdie voorwaarde van toepassing wees op die gekonsolideerde gebied as een erf."

*bylding
lines*

(e) Die omheining van die erf mag alleen oopgerig word nadat volle besonderhede in verband met die beplanning daarvan aan die eienaars van die dorpsaanleg voorgelê is en deur hul goedgekeur is, dog in geen geval mag enige omheining van enige sort sinkplaat gebou word nie.

WHEREFORE the said Appearer, renouncing all right and title which the said

TRANSFEROR

heretofore had to the premises, did in consequence also acknowledge to be entirely dispossessed of, and disentitled to the same, and that by these presents, the said


TRANSFEREES

Their heirs, executors, administrators or assigns, now are and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of

R965 000.00 (NINE HUNDRED AND SIXTY FIVE THOUSAND RAND)

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the Registrar of Deeds at Cape Town on 23 APRIL 2004



J.D.

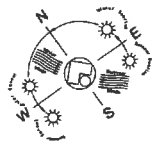
In my presence



REGISTRAR OF DEEDS

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 - SANS 10400 - PART B: Foundations
 - SANS 10400 - PART C: Public Safety
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 - SANS 10400 - PART Y: Foundations
 - SANS 10400 - PART Z: Foundations



Client:
HOUSE ENGELBRECHT

Chris Jacobs
 Architecture CC
 SACAP REGISTERED NO. P/2010/034
 Building Project Management

Project:
 Proposed Alterations & Additions For Mr. M.Engelbrecht On Erf 1056, Buiterkiring Street, Daisig, Stellenbosch

Drawing:
PLANS , SECTIONS , ELEVATIONS

Project No: D20.11-203
Dwg No: 1 OF 2

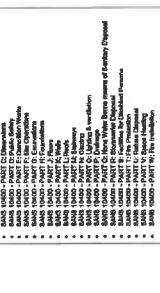
Date: Nov 2020
Drawn: C.J
Checked: HWW

Scale: As Shown
Signed:

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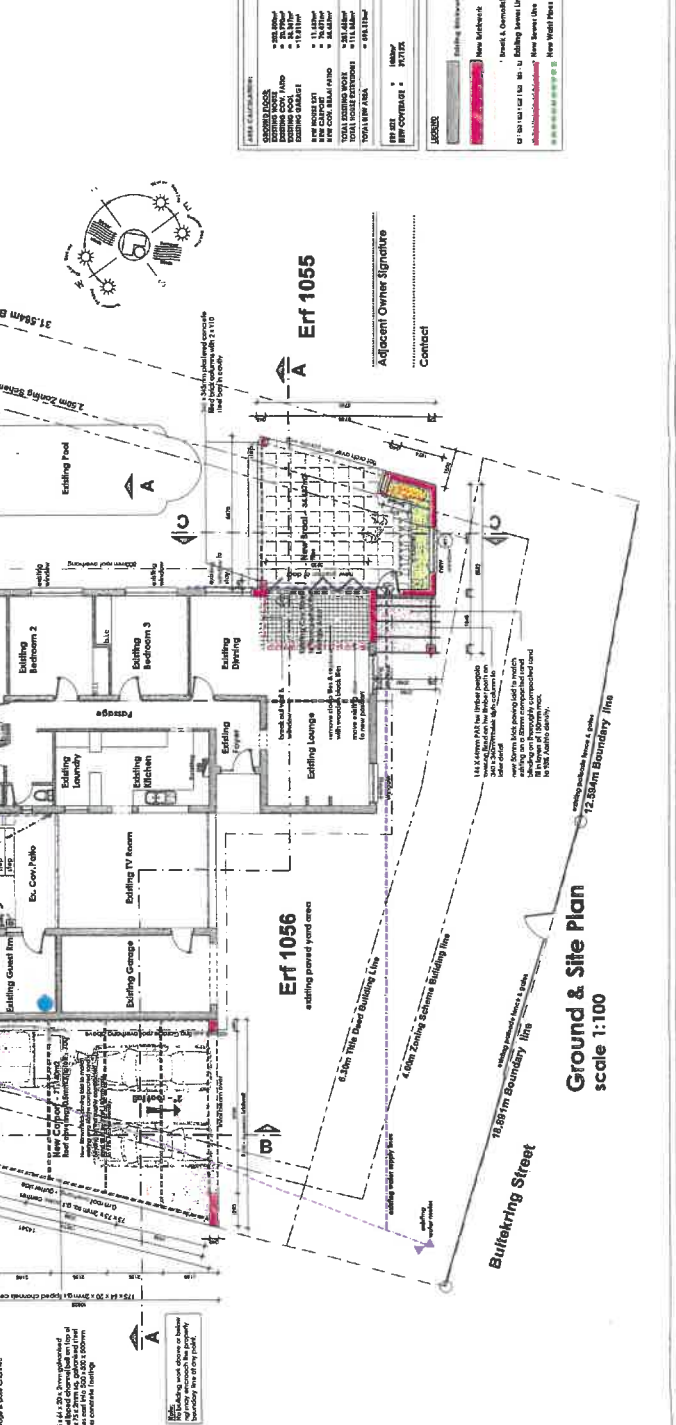
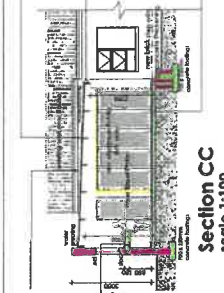
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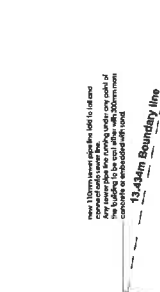
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