



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/13499

Our File Reference Number: Erf 10627, 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 SECTION 15(2)(b) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW, 2015: ERF 10627, 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 10627, Stellenbosch in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 in order to:

2.1.1 Relax the street building line from **3m** to **1m** and common side building line (adjacent Erf to 10628) from **1m** to **0m** to accommodate the proposed extensions on Erf 10627, Stellenbosch as indicated on Drawing No. 2021/33/01 drawn by D Lakey Draughting Services, dated August 2021, and attached as **Annexure B**.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.

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

2.2.1 The approval only applies to the proposed 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 Bylaws or Regulations that may be applicable.

2.2.2 No window which opens is permitted in a wall facing a common boundary where such wall is erected closer than 1m to the common boundary. Therefore, the windows on the north elevation on the site plan as referenced Drawing No. 2021/33/01, drawn by D Lakey Draughting Services, dated August 2021 must be closed.

2.2.3 No stormwater run-off be permitted directly from the building roof onto the neighbouring property other than the abutting public road.

2.2.4 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.

2.2.5 Building plans must be generally in accordance with the site plan as mentioned in 2.2.2. and 2.2.3.

2.2.6 Building plans must be submitted and approved by the Municipality and related occupancy certificates be issued prior to occupation

2.3 The reasons for the above decision are as follows:

2.3.1 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.

3. 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.

4. 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.

5. 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

6. 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.
7. 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>).
8. 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.
9. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
10. 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

18/7/2022
DATE:

ANNEXURE B

SITE PLAN

DOOR/WINDOW NUMBER	D1	D2	D3	D4	D5	D6
QUANTITY	1 ea	1 ea	1	1	1	1
FINISH	STANDARD ALUMINUM WINDOW AND SUPPLY OF ALUMINUM SPECIALIST.	STANDARD ALUMINUM WINDOW AND SUPPLY OF ALUMINUM SPECIALIST.	STANDARD ALUMINUM WINDOW AND SUPPLY OF ALUMINUM SPECIALIST.	STANDARD ALUMINUM WINDOW AND SUPPLY OF ALUMINUM SPECIALIST.	STANDARD ALUMINUM WINDOW AND SUPPLY OF ALUMINUM SPECIALIST.	STANDARD ALUMINUM WINDOW AND SUPPLY OF ALUMINUM SPECIALIST.
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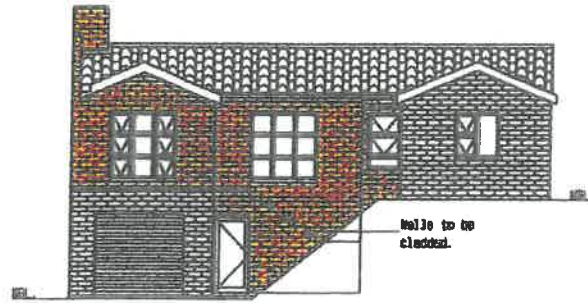
ALLE TEKENINGE EN AFWETINGS MOET NABESTEL EN VERVOLGEN WORD VOOR MATERIAAL BESTEL EN BODJE BOMMERK DEBITE WORD. VERSKILLE MOET DADELIX BODRE DIE AANVAAG VAN ARCHITEK BEBRINGE WORD. KOPIERES WORD VOORBEHOUD OP ALLE TEKENINGE EN OITWERP

ALL DRAWINGS AND DIMENSIONS MUST BE CORRELATED BEFORE ANY MATERIALS ARE ORDERED OR BUILDING WORK COMMENCES. ANY DIFFERENCES MUST BE BROUGHT UNDER THE ATTENTION OF THE ARCHITECT IMMEDIATELY. COPYRIGHT IS RESERVED ON ALL DRAWINGS AND DESIGNS

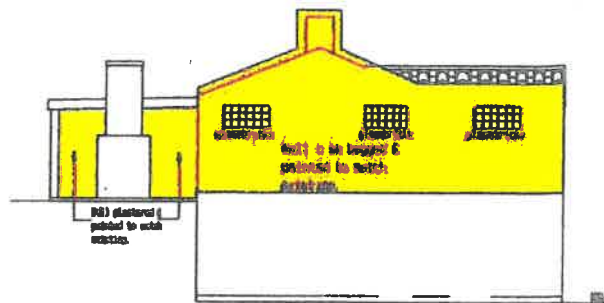
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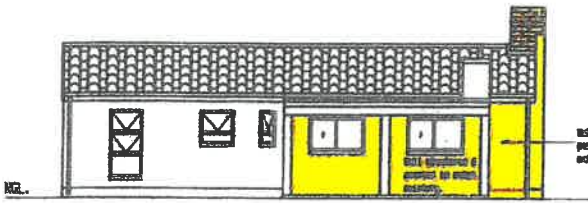
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1:100 WEST ELEVATION



1:100 NORTH ELEVATION



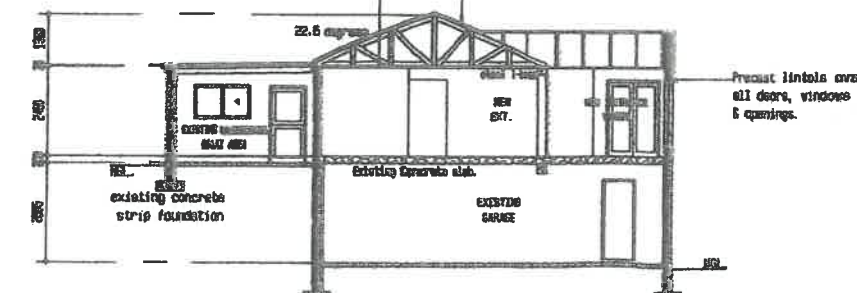
1:100 EAST ELEVATION



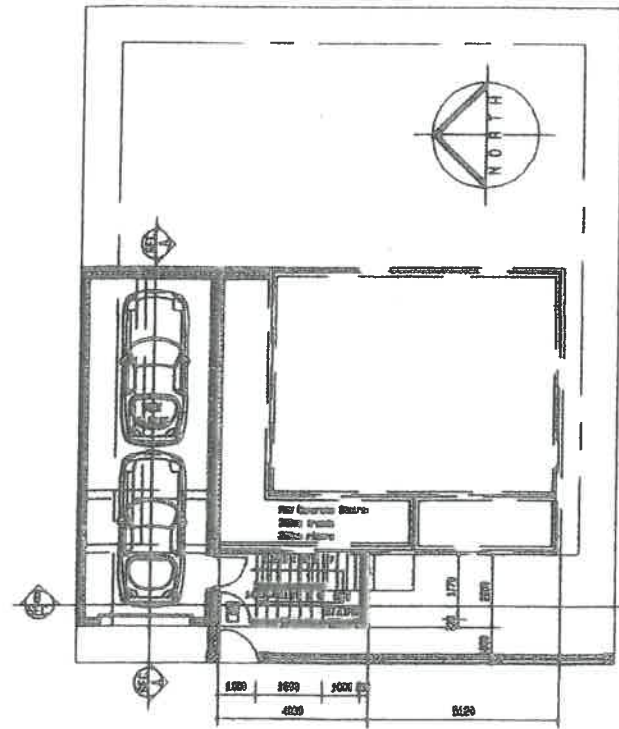
1:100 SOUTH ELEVATION

INSULATION NOTE:
GLASS AT FINE DETAIL, 25mm DUCT FINE GRANULATE INSULATION SET TO A MINIMUM VALUE OF 2.0m² U/V TO ALL BUILDINGS.

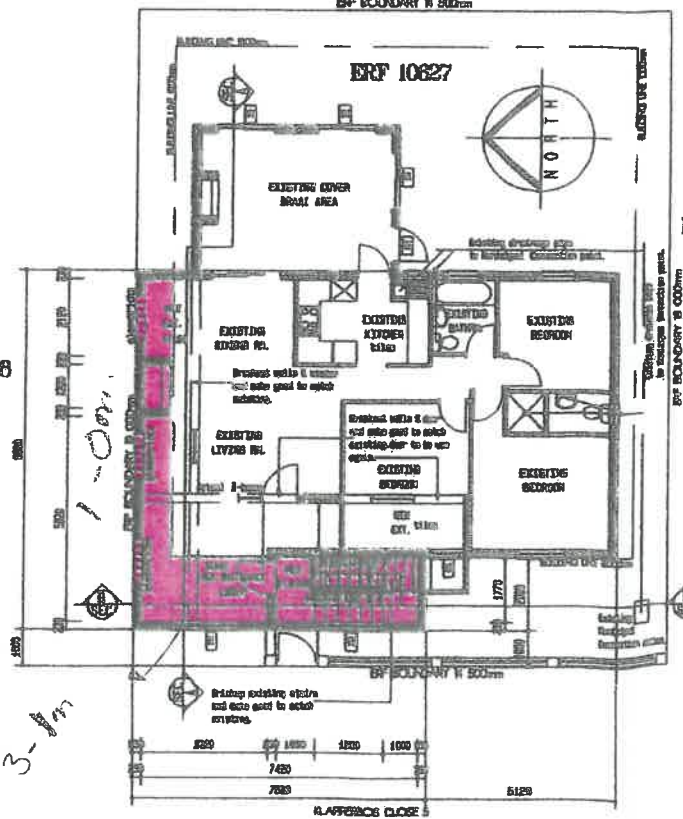
Concrete roof tiles on 38x50mm purlins at 200mm c.c. on Silestone 420 underlay on S.A.Pine trusses at 700mm c.c. fixed to wallplate with 32x0,8mm galv. hoop iron built into wall to match existing roof.
Standard 8,4m Rhinoboard ceiling fixed to 38x50mm S.A.Pine bracing @ 400mm c.c. in one direction. Provide standard cornice.



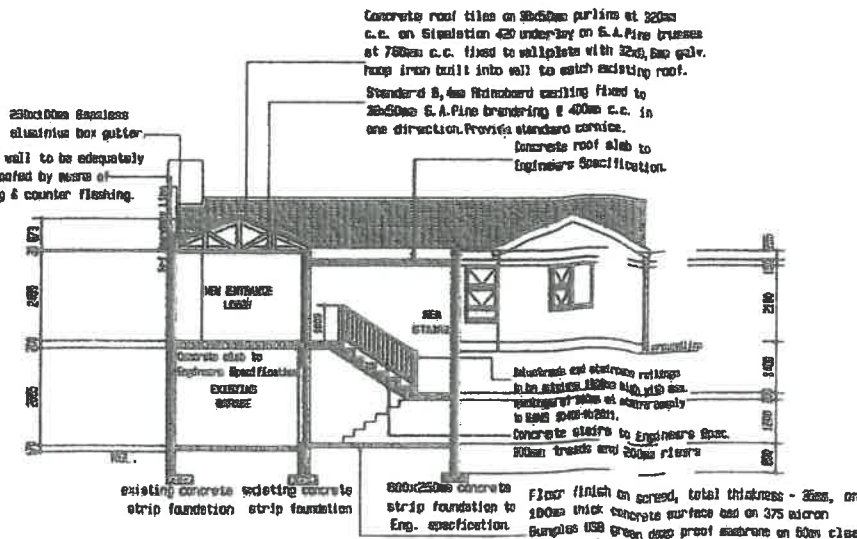
1:100 SECTION AA



1:100 LOWER GROUND FLOOR PLAN



1:100 SITE- & GROUND FLOOR PLAN



1:100 SECTION BB

DEVELOPMENT DATA:	
SITE AREA	261sqm
ADDITIONS:	
LOWER GROUND FLOOR	8sqm
GROUND FLOOR	31sqm
TOTAL	39sqm
EXISTING LOWER GROUND FLOOR	98sqm
EXISTING GROUND FLOOR	101sqm
TOTAL	139sqm
OVERALL TOTAL	178sqm
COVERAGE SQM	140sqm
EXISTING COVERAGE	51%
NEW COVERAGE	3%
TOTAL	54%

12 TAKING CLOSE
THE RIDGE
1045 VALLEY
STELLENBOSCH
7800

CELL: 072588230

16/9/2021

AREA / PROJECT
ALTERATIONS & ADDITIONS
FOR KOLSWA MDEMKA
ERF 10627 KLAPPERBOS CLOSE
THE RIDGE
STELLENBOSCH

TITLE / DRAWING
SITE- & GROUND FLOOR PLAN
LOWER GROUND FLOOR PLAN
SECTIONS & ELEVATIONS
WINDOW & DOOR SCHEDULES

DESIGNED	REV.	TEKENING N°
D. LAKEY		DRAWING NO.
		2021/33/01
SCALE	DATE	CHECKED
AS SHOWN	AUGUST 2021	ISSUED