



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14126

Our File Reference Number: Erf 1106, 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 FOR A PERMANENT DEPARTURE AND RELAXATION OF TITLE DEED CONDITION ON ERF 1106, 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 the Administrator's Consent to relax the restrictive title deed condition contained in the title deed no. 63245/2021, clause C(iii)(d) in order to relax the street building line from 6,3m to 0,24m to permit an existing garage (with a decked patio on top) on Erf 1106, Stellenbosch, **BE GRANTED.**
 - 2.2 That the application in terms of Section 15(2)(b) of the Stellenbosch Municipality Land Use Planning By-Law, October 2015 for a permanent departure for the relaxation of the street building line from 4m to 0,24m to permit an existing garage, with a decked patio on top on Erf 1106, Stellenbosch;

BE APPROVED in terms of Section 60 of the said Bylaw.

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

- 2.3.1 The approval only applies to the application under consideration, as indicated on the Site Plan referenced PP14/21 3, dated May 2021 and drawn by Botha

Pretorius (Pretplan), attached as **Annexure B** 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.

2.3.2 The development must be undertaken generally in accordance with the Site Plan referenced PP14/21 3, dated May 2021 and drawn by Botha Pretorius (Pretplan), attached as **Annexure B**.

2.3.3 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.

2.3.4 Building plans must be generally in accordance with the Site Plan referenced PP14/21 3, dated May 2021 and drawn by Botha Pretorius (Pretplan), attached as **Annexure B**.

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

3.1 The encroachment of the building line does not undermine the character of the area.

3.2 The adjoining property owner's consent was obtained.

4. 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.

5. 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.

6. 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

7. 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.

8. 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>).
9. 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.
10. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
11. 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

14/2/2023

DATE:



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

ANNEXURE B

SITE PLAN

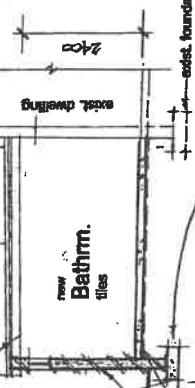
South Elevation 1:100

Ceilings.
6,4 mm fibreboard ceiling cratistone skimmed and fixed to underside of 38 x 38 bracing at 400 mm centres. Cornices as per clients choice and finish.

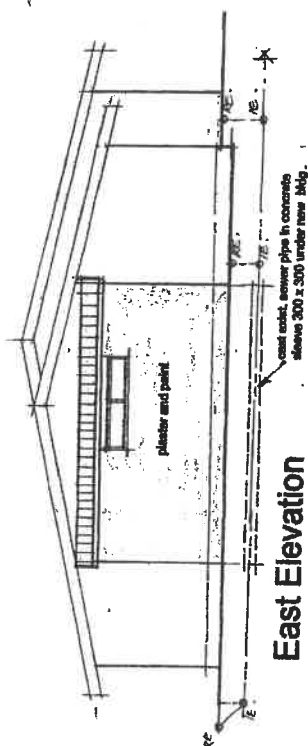
Walls.
270 mm cavity and 230 mm load bearing walls built with quality ROK clay bricks 1 molar with wall tie and brick face to every 3 courses and plastered internally and externally to match existing with 100 mm plastered band on parapet walls. Painted with 1 under coat and two coats Dulux wall and oil, colour as per clients choice.

Floor Construction.
Third floor finish on 25 mm cement screed on 100 mm concrete floor slab on 250 micron DPC membrane on 50 mm sand bed on well compacted earth fill.

Foundations.
All foundations and foundation walls as per SANS 10400, Part K and Part H and 850 x 250 for load bearing walls.



Section B - B 1:100



East Elevation 1:100

Areas:

Erf 1106	1002,00 sq.m.
Exist. Dwelling	
Ground Level	221,380 sq.m.
Lower Ground Level	89,800 sq.m.
Patio 1	14,000 sq.m.
Patio 2	13,750 sq.m.
Pool	19,750 sq.m.
New Additions	
Ground Level	22,500 sq.m.
Lower Ground Level	49,000 sq.m.
Sub Total	71,500 sq.m.
Totals	362,880 sq.m.
Footprint	320,830 sq.m.
Coverage	32 % (40%)

Pretplan
BOUQUINNE
BUILDINGS PLANS
Botha Pretorius

Project

Dwelling De Villiers
Proposed Alterations and Additions to Existing Dwelling on Erf 1106, 49 Buitkroeg St. Jalsig, Stellenbosch.

Sheet Description:

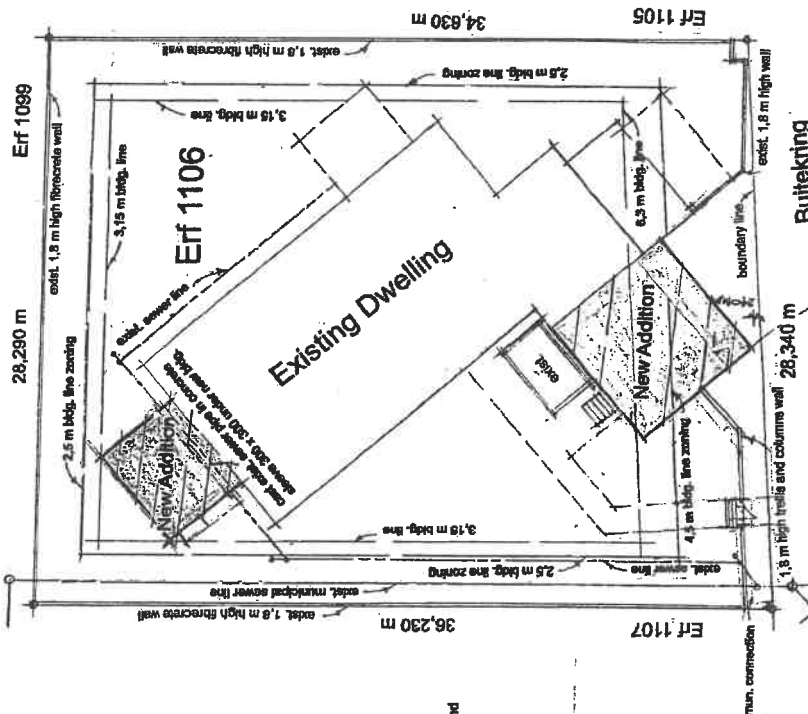
**Elevations
Section
Site Plan**

Project number
PP-14/21

Scale
1:100

Date
May 2021

Drawn by
botha



Site Plan 1:250

EM 106 Owner SACAP ST1950

Foundations.
All foundations and foundation walls as per SANS 10400, Part K and Part H and 850 x 250 for load bearing walls.

Walls.
270 mm cavity and 230 mm load bearing walls built with quality ROK clay bricks 1 laid in stretcher bond in 1 - 6 cement mortar with wall ties and brick force to every 3 courses and plastered internally and externally to match existing with 100 mm plastered board on parapet walls. Painted with 1 under coat and two coats Dulux wall and all colour as per clients choice.
Concrete slabs and beams.
To comply with SANS 10400 - J, H, K and concrete beams and slabs to be designed and approved by structural engineer as per SABS 0102.
Floor Construction.
Tiled floor finish on 25 mm cement screed on 100 mm concrete floor slab on 250 micron DPC membrane on 50 mm sand bed on well compacted earth fill.

Notes :

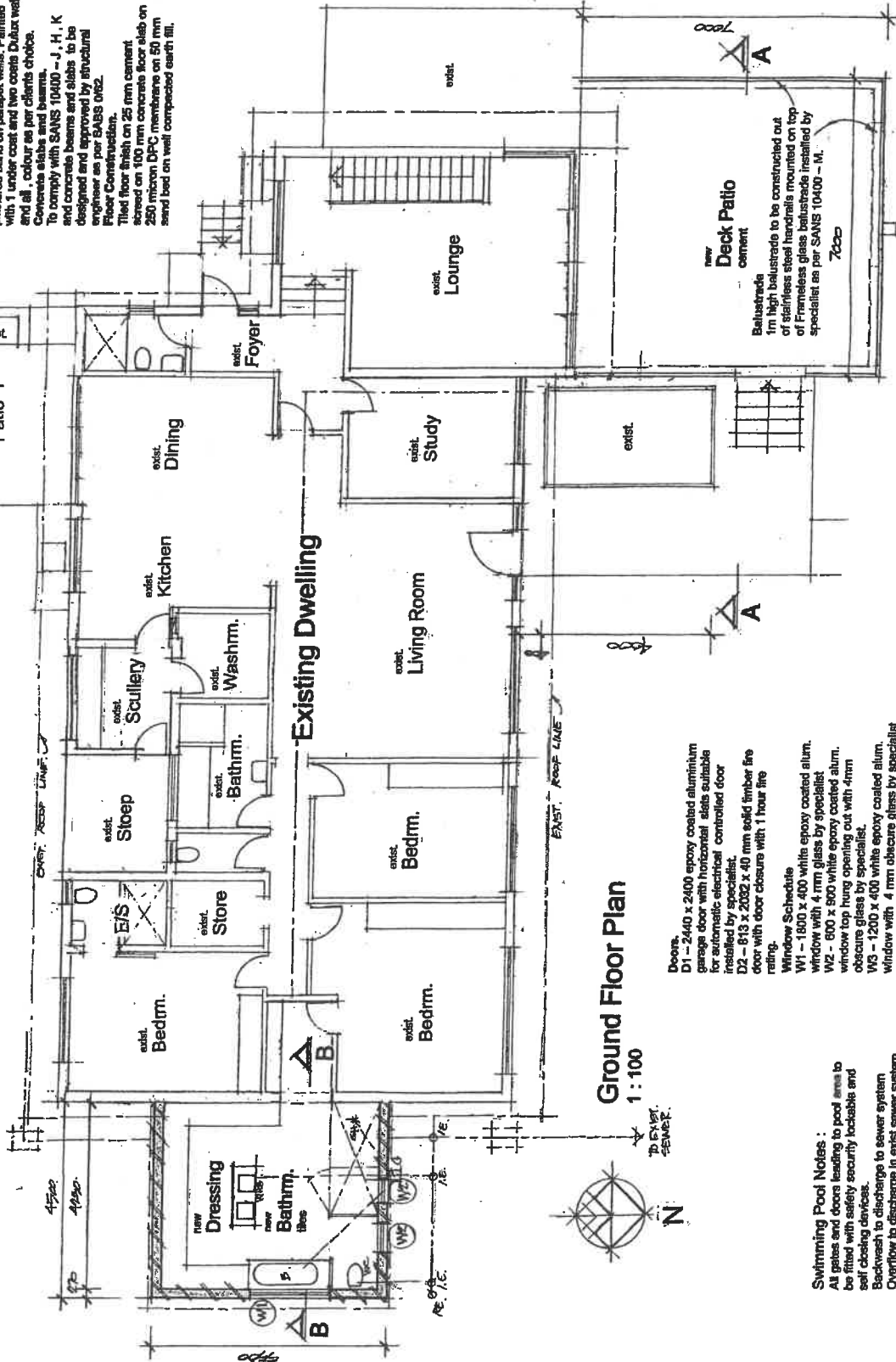
Roof Construction.
0,6 mm chemical Klopak roof sheeting on 75 x 50 rafters at 1000 mm centres on 230 x 50 beams at 1000 mm centres with 410 Skelston sheet under sheeting with 135 mm Isotherm insulation on ceiling. All water proofing to be done by specialist.
8,4 mm Fibreboard ceiling crests to be skinned and fixed to underside of 33 x 38 battening at 400 mm centres. Cornice as per clients choice and finish.

Areas :

Erf 1106	1002,00 sq.m.
Exist. Dwelling	221,380 sq.m.
Lower Ground Level	69,800 sq.m.
Patio 1	14,000 sq.m.
Patio 2	13,750 sq.m.
Pool	19,750 sq.m.
New Additions	
Ground Level	22,500 sq.m.
Lower Ground Level	49,000 sq.m.
Sub Total	71,500 sq.m.
Total	382,680 sq.m.
Footprint	320,630 sq.m.
Coverage	32 % (40%)

pretplaan
BOUWPLANNE
BUILDING PLANS
Botha Pretorius

Ground Floor Plan
1 : 100



Doors.
D1 - 2440 x 2400 epoxy coated aluminium garage door with horizontal slats suitable for automatic electrical controlled door installed by specialist.
D2 - 613 x 2032 x 40 mm solid timber fire door with door closure with 1 hour fire rating.
Window Schedule
W1 - 1800 x 400 white epoxy coated alum. window with 4 mm glass by specialist
W2 - 600 x 900 white epoxy coated alum. window top hung opening out with 4mm obscure glass by specialist.
W3 - 1200 x 400 white epoxy coated alum. window with 4 mm obscure glass by specialist
W4 - 900 x 1800 white epoxy coated alum. window top hung opening out with 4 mm clear glass by specialist. Bumper proofing to all windows as per clients choice.

Swimming Pool Notes :
All gates and doors leading to pool area to be fitted with safety security lockable and self closing devices.
Backwash to discharge to sewer system
Overflow to discharge in exist sewer system
The Fibreglass pool to be fitted by specialist and as per their instructions.
Swimming pool pumps to be screened off

Project number	PP14/21
Sheet number	1
Scale	1 : 100
Date	May 2021
Drawn by	botha

Signature
ER 1106 Owner SACAP ST1850

Dwelling De Villiers
Proposed Alterations and Additions to Existing Dwelling
on Erf 1106, 49 Buitelkring St. Dalsig, Stellenbosch.

Ground Floor Plan

Sheet Description

Balustrade
1 m high balustrade to be constructed out of stainless steel handrails mounted on top of frameless glass balustrade installed by specialist as per SANS 10400 - M.

North Elevation
1 : 100

Balustrade
1m high balustrade to be constructed out of stainless steel handrails mounted on top of frameless glass balustrade installed by specialist as per SANS 10400 - M.

West Elevation
1 : 100

Walls.
270 mm cavity and 230 mm load bearing walls built with quality ROK clay bricks laid in stretcher bond in 1 - 5 cement mortar with wall ties and brick ties to every 3 courses and plastered internally and externally to match existing with 100 mm plastered band on parapet walls. Plastered with 1 under coat and two coats Dulux wall and oil, colour as per clients choice.

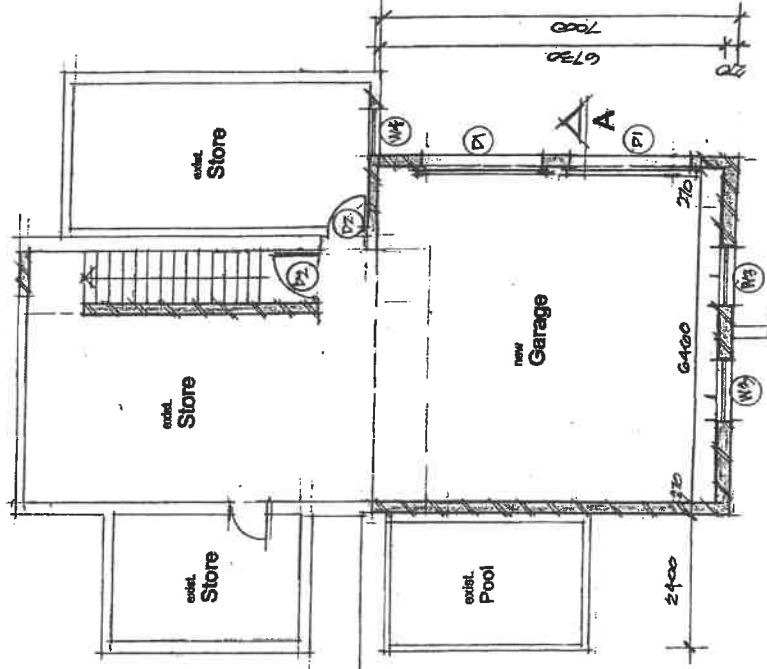
Balustrade
1 m high balustrade to be constructed out of stainless steel handrails mounted on top of frameless glass balustrade installed by specialist as per SANS 10400 - M.

Concrete slabs and beams.
To comply with SANS 10400 - J, H, K and concrete beams and slabs to be designed and approved by structural engineer as per SABS 0162.

Foundations.
All foundations and foundation walls as per SANS 10400, Part K and Part H and 850 x 250 for load bearing walls.

Section A - A
1 : 100

exist. Pool
Fibreless by specialist



Lower Ground Floor Plan
1 : 100



pretplan
BOUW- EN
BOUWPLANS

Botha Pretorius

Preibus 3140, Meritland, Stellenbosch, 7602
SACAP Reg. No. ST1950, 072 452 9966.

Project

Dwelling De Villiers
Proposed Alterations and Additions to Existing Dwelling on Erf 1106, 49 Buifetking St. Dalsig, Stellenbosch.

Sheet Description:

Lower Ground Floor Plan Elevation, Section

Project number: PP14/21	Scale: 1 : 100
2	Date: May 2021
	Drawn by: botha

[Signature]
1106 Owner SACAP ST1950