



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/12666

Our File Reference Number: Erf 1144, Franschhoek

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: [Ulrich.Vonmolendorff@stellenbosch.gov.za](mailto: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 1144, FRANSCHHOEK**

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 in terms of Section 15(2)(b) of the Stellenbosch Municipality Land Use Planning Bylaw, 2015 to relax the common building line (adjacent to Erf 1143) from 1m to 0m in order to accommodate the **proposed deck with screen wall on the first floor** on Erf 1144, Groendal, Franschhoek as indicated on drawing no. 20/01/02 A drawn by Masterplan Projects and dated April 2020.

**NOT BE APPROVED** in terms of Section 60 of the said Bylaw.

### **2.2 The reasons for the above decision are as follows:**

- 2.2.1 The proposed deck will have a negative impact on the privacy of the abutting property owner's backyard.
  - 2.2.2 The height and scale of the proposed building will have a negative impact on the adjacent property (Erf 1143).
- 2.3 That the application for a departure in terms of Section 15(2)(b) of the Stellenbosch Municipality Land Use Planning Bylaw, 2015 to relax the common building line (adjacent to Erf 1143) from 1m to 0m in order to accommodate the proposed additions on the ground floor

**(staircase)** and **a study** on the first floor on Erf 1144, Groendal, Franschhoek as indicated on drawing no. 20/01/02 A drawn by Masterplan Projects and dated April 2020.

**BE APPROVED** in terms of Section 60 of the said Bylaw and subject to the following conditions in terms of Section 66 of said Bylaw:

#### 2.4 Conditions of approval

- 2.4.1 The approval shall lapse if not acted upon within a period of five years from the date of final notification.
  - 2.4.2 Building plans must be submitted to this Municipality for approval prior to any building work commencing on site and must be in line with the approval granted above.
  - 2.4.3 Deck/balcony on the first floor must be indicated on the submitted building plan as a roof space and all doors / sliding doors leading to the proposed deck / roof space must be replaced with windows.
  - 2.4.4 The approval shall not be construed as authority to depart from any other Council requirements or legal provisions.
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](mailto: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**

9/2/2022  
DATE:

**Copy To:**



Erf 1143, Franschhoek



# MASTERPLAN PROJECTS ARCHITECTURE

## ENERGY EFFICIENCY

A MINIMUM OF ONE BY ONE METER OF THE ANNUAL AVERAGE HOT WATER HEATING REQUIREMENT SHALL BE PROVIDED BY MEANS OF OTHER THAN ELECTRICAL RESISTANCE HEATING, INCLUDING BUT NOT LIMITED TO: RADIANT HEATING, HEAT RECOVERY FROM OTHER EXISTING OR PROCESSES.

## INSULATION

CEILING AND INSULATION IN ACCORDANCE WITH NBR PART 7 AND PART 11. WALLS IN ACCORDANCE WITH NBR PART 7. FLOORS IN ACCORDANCE WITH NBR PART 7. ENGINEERS SPECIFICATIONS

## ENGINEERS SPECIFICATIONS

ALL FOUNDATIONS IN ACCORDANCE WITH NBR PART 9. CONCRETE SURFACE BEDS AND BACKFILL IN ACCORDANCE WITH NBR PART 9. R/C SLABS AND R/C BEAMS TO BE NBR PART 9. MASONRY COLUMNS AND FOOTINGS TO BE NBR PART 9. R/C PARAPETS TO BE IN ACCORDANCE WITH NBR PART 9. WITH 1.000m HIGH PARAPETS.

## ORIENTATION

ORIENTATION AND SHADY PROTECTION COMPLY TO REGULATION 5A OF SANS 210:2010. FOUNDATION IN ACCORDANCE WITH NBR PART 9. CONCRETE SURFACE BEDS AND BACKFILL IN ACCORDANCE WITH NBR PART 9. ELECTRICAL INFRASTRUCTURE MAY EXIST ON THE PROPERTY OR IN ITS VICINITY. A WAY LEAVE SHALL BE OBTAINED FROM THE ELECTRICITY SERVICES DEPARTMENT FOR ANY EXCAVATION IN VICINITY. ALL TUBES AND MANHOLETS SHALL BE MAINTAINED AT ALL TIMES. NO COMBUSTIBLE MATERIAL SUCH AS TRUNKS, TRIMMERS, ROOF TRUSSES SHALL BE BUILT WITHIN 200mm OF THE INSIDE OF CHIMNEY FLUE

AREA SCHEDULE	AREA (m <sup>2</sup> )
ERF	300.00
EXISTING HOUSE	186.82
EXISTING STONE	9.40
NEW ADDITIONS OF	3.84
NEW FIRST FLOOR	112.45
NEW SECOND FLOOR	17.06
TOTAL AREA	299.97
TOTAL COVERED AREA	299.97
TOTAL FOOT PRINT	174.58
PERCENTAGE COVERAGE	88.88 %

## CONSTRUCTION NOTES

### General Notes

The design of this drawing is copyright. All work carried out in strict accordance with authority and NBR regulations. All relevant depths, levels and dimensions to be checked on site prior to commencement of the work. The contractor accepts no responsibility for errors resulting from the misinterpretation of this drawing. Figures and dimensions to be in preference to scaling of drawings. All dimensions are given in millimeters. The contractor will be liable responsible for the correct setting out of the work. Any doubt as to the accuracy of boundary lines, all electrical and drainage work to be done building to exceed over boundary lines. All electrical and drainage work to be done registered technicians. Any drainage pipes underneath of building to be enclosed in 100mm concrete surround.

### Foundations

200mm walls to bear on 750 x 250mm continuous concrete strip foundation. All foundation footings to project beyond site boundary.

### External Load Bearing Walls

External load bearing walls to be 200mm RFT clay bricks with int. 375 micron cement DPC to all walls, window and door surrounds. Meshpiles to every 3rd brick course 170mm min above FFL as well as over levels. Foundation walls to be 250mm.

### Internal Non-Load Bearing Walls

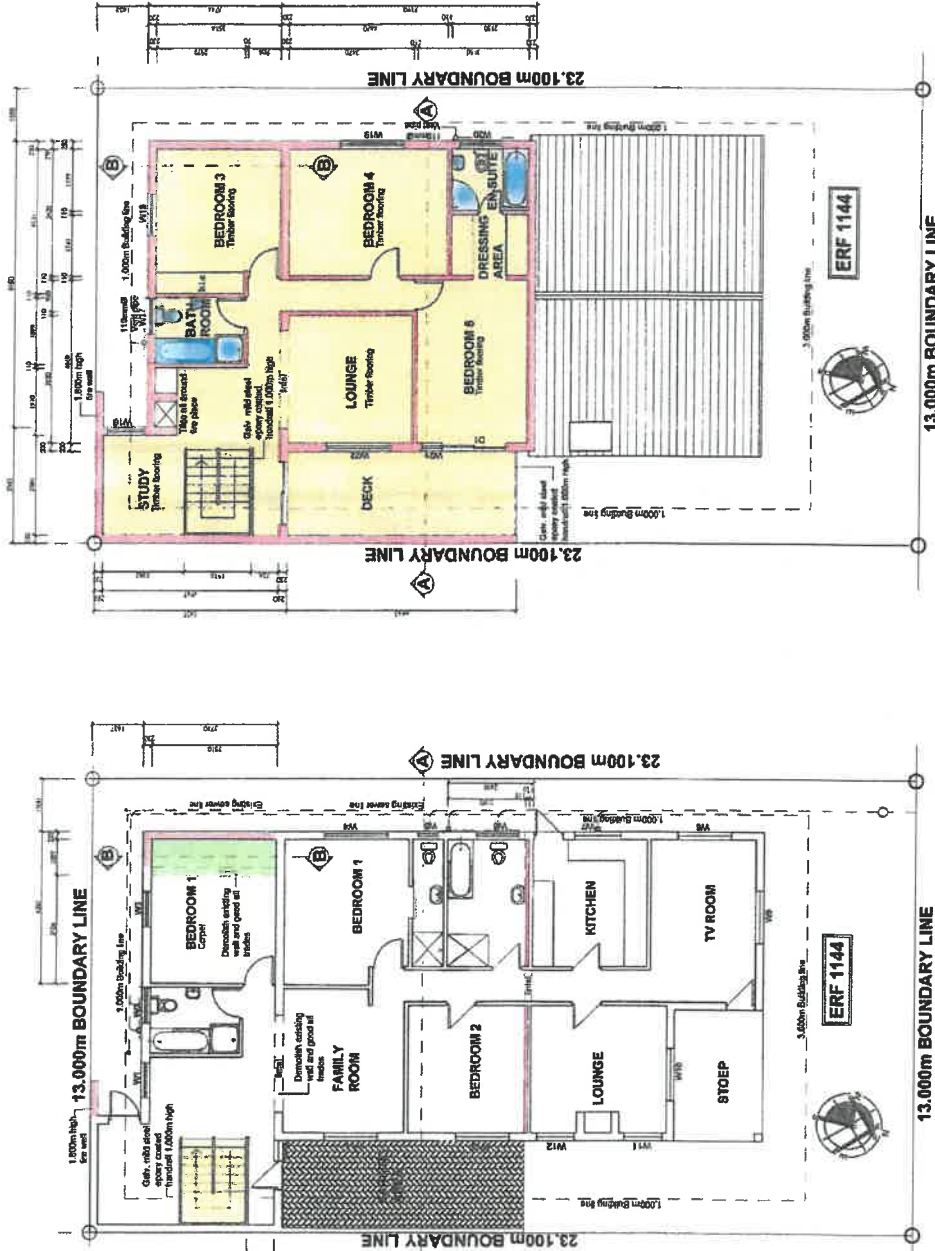
Internal non-load bearing walls to be 110mm clay bricks.

### Concrete Surface Bed

Floor finish on 80mm cement screed on 100mm mass concrete surface bed on 250 micron dpm on 50mm sand bed on well compacted filling.

### Precast Limits

Precast R.C. seats over all openings and built in 230mm into walls on either side of opening, doors and windows.



13.000m BOUNDARY LINE

BOONZAAIER STREET

FIRST FLOOR PLAN

SCALE 1:100

13.000m BOUNDARY LINE

BOONZAAIER STREET

SITE AND FLOOR PLAN

SCALE 1:100

MASTERPLAN PROJECTS  
ARCHITECTURE  
Stellenbosch, South Africa / PO Box 891 Stellenbosch 7098  
Call: 079 232 3774 / fax: 021 886 1417 / email: pm@masterplan.co.za

PROPOSED NEW HOUSE ON ERF 1144, BOONZAAIER STREET, FRANSCHHOEK

Drawing No : 2001 / 02 A

## FOR SUBMISSION

Scale: 1:100  
Date: APRIL 2020  
Drawn: S NIKELO  
Checked: PVL

*Muffet 1145*

*Lehman Kestner 1147*



# MASTERPLAN PROJECTS ARCHITECTURE

**GRAING**  
All exterior surfaces shall be finished with a minimum 1/4" thick, 1/8" x 1/8" square grout on a 1/2" x 1/2" grid. The grout shall be finished with a smooth, polished surface. The grout shall be installed in accordance with the manufacturer's instructions. The grout shall be installed in accordance with the manufacturer's instructions. The grout shall be installed in accordance with the manufacturer's instructions.

**ENERGY EFFICIENCY**  
The building shall be designed to meet the requirements of the International Energy Conservation Code (IECC) 2009. The building shall be designed to meet the requirements of the International Energy Conservation Code (IECC) 2009. The building shall be designed to meet the requirements of the International Energy Conservation Code (IECC) 2009.

**NOT WATER TIGHT**  
The roof shall be designed to meet the requirements of the International Building Code (IBC) 2009. The roof shall be designed to meet the requirements of the International Building Code (IBC) 2009. The roof shall be designed to meet the requirements of the International Building Code (IBC) 2009.

ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
1	FOUNDATION	1	SQ. FT.	100.00	100.00
2	CONCRETE	1	SQ. FT.	100.00	100.00
3	ROOFING	1	SQ. FT.	100.00	100.00
4	WALLS	1	SQ. FT.	100.00	100.00
5	FLOORING	1	SQ. FT.	100.00	100.00
6	CEILING	1	SQ. FT.	100.00	100.00
7	MECHANICAL	1	SQ. FT.	100.00	100.00
8	ELECTRICAL	1	SQ. FT.	100.00	100.00
9	PLUMBING	1	SQ. FT.	100.00	100.00
10	PAINT	1	SQ. FT.	100.00	100.00
11	LANDSCAPE	1	SQ. FT.	100.00	100.00
12	CONCRETE	1	SQ. FT.	100.00	100.00
13	ROOFING	1	SQ. FT.	100.00	100.00
14	WALLS	1	SQ. FT.	100.00	100.00
15	FLOORING	1	SQ. FT.	100.00	100.00
16	CEILING	1	SQ. FT.	100.00	100.00
17	MECHANICAL	1	SQ. FT.	100.00	100.00
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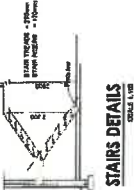
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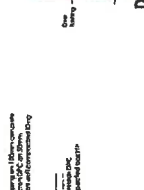
## CONSTRUCTION NOTES

**General Notes**  
1. The contractor shall be responsible for obtaining all necessary permits and approvals from the local authorities.  
2. The contractor shall be responsible for obtaining all necessary materials and labor for the project.  
3. The contractor shall be responsible for the safety of the construction site and the workers.  
4. The contractor shall be responsible for the quality of the construction work.  
5. The contractor shall be responsible for the completion of the project on time and within budget.

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20	PAINT	1	SQ. FT.	100.00	100.00



**STAIRS DETAIL**  
1. The stairs shall be constructed with concrete slabs and wood treads.  
2. The stairs shall be finished with a smooth, polished surface.  
3. The stairs shall be installed in accordance with the manufacturer's instructions.



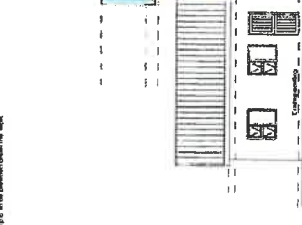
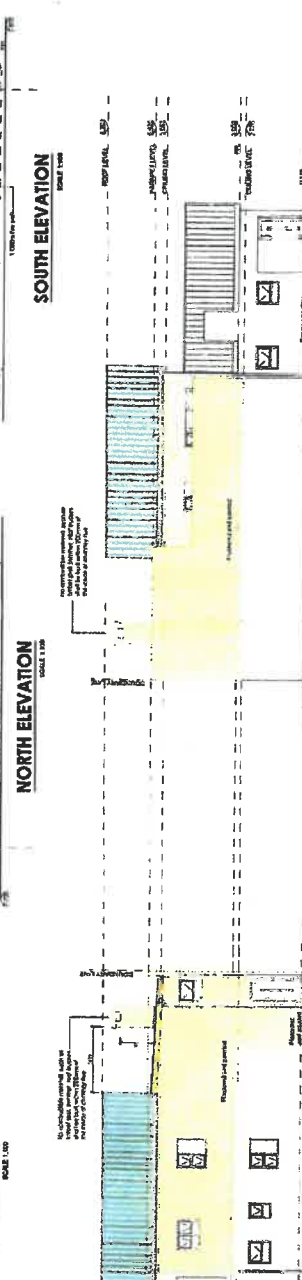
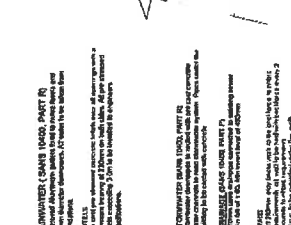
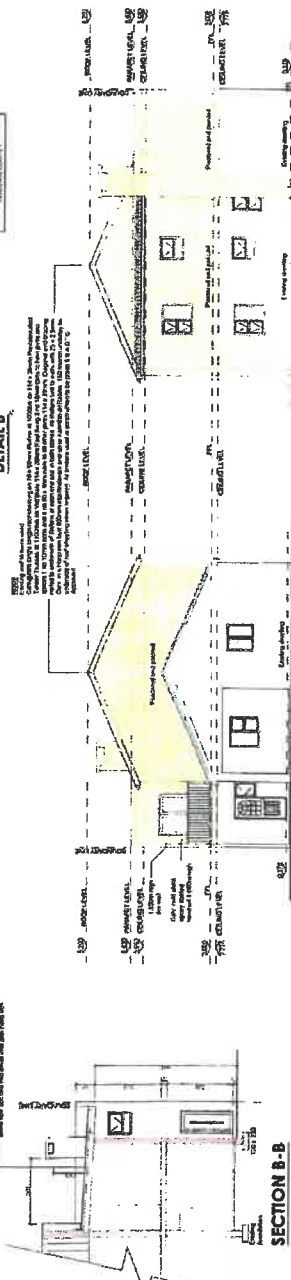
**FOOTING DETAIL**  
1. The footing shall be constructed with concrete and metal reinforcement.  
2. The footing shall be finished with a smooth, polished surface.  
3. The footing shall be installed in accordance with the manufacturer's instructions.



**SECTION A-A**  
1. The section shall show the structural members and finishes of the building.  
2. The section shall be finished with a smooth, polished surface.  
3. The section shall be installed in accordance with the manufacturer's instructions.



**SECTION B-B**  
1. The section shall show the structural members and finishes of the building.  
2. The section shall be finished with a smooth, polished surface.  
3. The section shall be installed in accordance with the manufacturer's instructions.



**MASTERPLAN PROJECTS**  
1145 S  
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PROPOSED NEW HOUSE ON ERF 1144, BOONZAAR STREET, FRANSCHHOEK  
Drawing No.: 2001/02 A  
FOR SUBMISSION

Scale: 1:100  
Date: APRIL 2020  
Drawn: S NIKELD  
Checked: PVL

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