



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14412

Our File Reference Number: Erf 120, Franschhoek

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 A PERMISSION IN TERMS OF THE ZONING SCHEME TO ALLOW AN ADDITIONAL USE (TECHNICAL APPROVAL) AND DEPARTURE ON ERF 120, 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 in terms of Section 15(2)(g) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 for permission in terms of the zoning scheme to allow an additional use (technical approval) for the construction of a second dwelling unit on Erf 120, Huguenote Street, Franschhoek.

2.1.1 That the application in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 for a departure to relax the common building lines from 2,5m to 2,3m to accommodate the proposed second dwelling unit on the property on Erf 120, Huguenote Street, Franschhoek.

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 application under consideration, as indicated on Drawing No. JS/22/02/008 A1, Drawn by D. Benjamin, dated Feb 2022, 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 Bylaws or Regulations that may be applicable.

- 2.2.2 Building plans must be generally in accordance with the site plan and floor layout plan as indicated on Drawing No. JS/22/02/008 A1, drawn by: D. Benjamin, Dated Feb 2022, and attached as **Annexure B**.
- 2.2.3 Sufficient on-site parking must be provided in accordance with the provisions of the Zoning Scheme Bylaw as illustrated on the site plan to the satisfaction of the Municipality.

2.3 The reasons for the above decision are as follows:

2.3.1 The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape.

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);

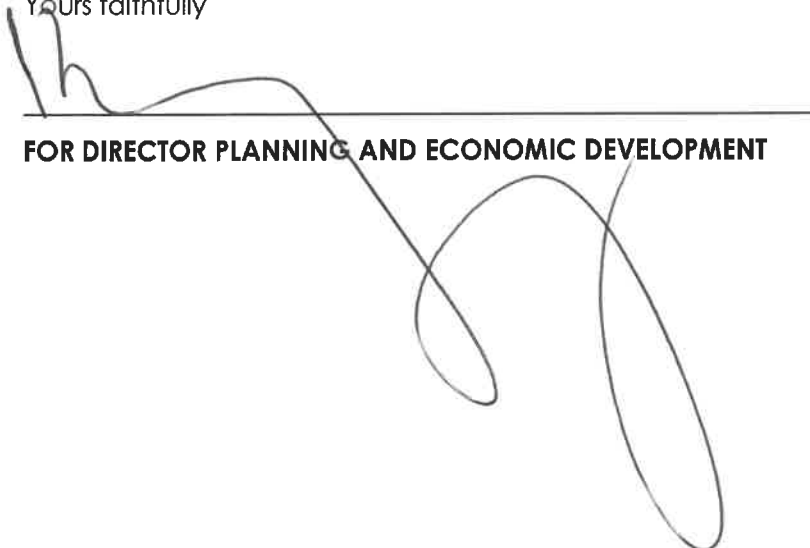
- (ii) grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.
- (d) whether the appeal is lodged against the whole decision or a part of the decision;
- (e) if the appeal is 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

10/1/2023
DATE:

ANNEXURE B: SITE PLAN

COVERAGE CALCULATIONS	AREA
SITE AREA	817.79m ²
EXISTING DWELLING	194.79m ²
EXISTING GARAGE	20.50m ²
SECOND DWELLING	29.62m ²
TOTAL	244.31m ²
COVERAGE	29.87%

NOTE AND SPECIFICATIONS:
 1. ALL CONCRETE FOUNDATIONS FOR ALL LOAD-BEARING WALLS, 600 X 250 DEEP FOR ALL FOUNDATIONS TO BE CONSTRUCTED IN ACCORDANCE WITH SECTION 3.1 AND 3.2. ALL FOUNDATIONS TO BE BELOW EXTERNAL GROUND LEVEL.
 2. WALLS (SANS 1040, PART II) ALL EXTERIOR TO BE FINISHED WITH BUTYRIC TILES TO MINIMUM REQUIREMENT. ALL EXTERIOR TO BE FINISHED UNDER THE EXTERNAL AND INTERNAL WALL.
 3. STORMWATER (SANS 1040, PART II) STORMWATER DOWNPIPES TO ROUTED WITH PRE CAST CONCRETE WATERCHANNELS TO ROAD STORMWATER SYSTEM.
 4. ZUMBER (SANS 1040, PART II) ZUMBER TO BE 25MM THICK ALL WATER TO BE TAKEN FROM FOUNDATIONS.
 5. ROOF (SANS 1040, PART II) ROOF TO BE 125MM THICK COMPACTED TIL.
 6. ROOF (SANS 1040, PART II) ROOF TO BE 125MM THICK COMPACTED TIL.
 7. ROOF (SANS 1040, PART II) ROOF TO BE 125MM THICK COMPACTED TIL.
 8. ROOF (SANS 1040, PART II) ROOF TO BE 125MM THICK COMPACTED TIL.

REVISION

DATE	DESCRIPTION
05-10-2022	2 x PARKING PROVIDED

CLIENT
HOUSE RADYN

OFFICE ADDRESS
 SACAP REG. (P. Arch. Tech.) 11589
 2

PROJECT
PROPOSED NEW SECOND DWELLING ON SECOND DWELLING ON ERF 120 (PREVIOUS ERF 439), HUGUENOTE STREET, FRANCSHOEK

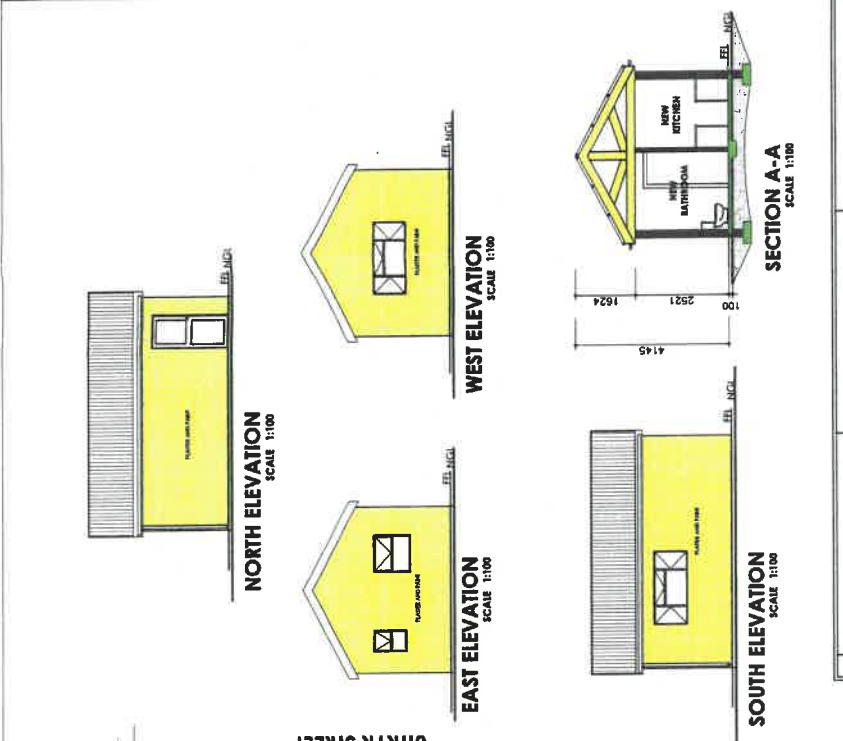
DRAWN BY
 D. BENJAMIN

CHECKED BY
 D. BENJAMIN

SCALE
 AS SHOWN

DATE
 FEB 2022

DRAWING NR.
 JS2202/008 A1



ALUMINIUM WINDOW SCHEDULE		ALUMINIUM WINDOW SCHEDULE		ALUMINIUM WINDOW SCHEDULE	
WINDOW NUMBER	TYPE	TOP FINISH WINDOW	TYPE	TOP FINISH WINDOW	TYPE
W1	TO BE WIRE POWDER COATED	W2	TO BE WIRE POWDER COATED	W3	TO BE WIRE POWDER COATED
W4	LAMINATED SAFETY GLASS ALL IN ACCORDANCE WITH SANS 1012, SECTION 3.1 AND 3.2.	W5	LAMINATED SAFETY GLASS ALL IN ACCORDANCE WITH SANS 1012, SECTION 3.1 AND 3.2.	W6	LAMINATED SAFETY GLASS ALL IN ACCORDANCE WITH SANS 1012, SECTION 3.1 AND 3.2.
TOTAL	1	TOTAL	1	TOTAL	2
NET AREA	2100	NET AREA	1200	NET AREA	2100

ALUMINIUM / TIMBER DOOR / FRAME SCHEDULE		ALUMINIUM / TIMBER DOOR / FRAME SCHEDULE	
DOOR NUMBER	TYPE	DOOR NUMBER	TYPE
D1	TO BE WIRE POWDER COATED	D2	TO BE WIRE POWDER COATED
D3	LAMINATED SAFETY GLASS ALL IN ACCORDANCE WITH SANS 1012, SECTION 3.1 AND 3.2.	D4	LAMINATED SAFETY GLASS ALL IN ACCORDANCE WITH SANS 1012, SECTION 3.1 AND 3.2.
TOTAL	1	TOTAL	1
NET AREA	2100	NET AREA	2100

