



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15781 (TP396/2023)

Our File Reference Number: Erf 12769, 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 12769, SHINGLE CLOSE, WELGEVONDEN, 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 in terms of Section 15(2)(b) of the Stellenbosch Municipality Land Use Planning Bylaw 2023 in order to relax the common building line (adjacent to Erf 14426) from 1,5m to 0m in order to accommodate the proposed timber deck on Erf 12769, Stellenbosch as indicated on site & floor plan no. 100, dated 24 November 2022 and drawn by RDC Designs cc.

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 will lapse if not implemented / confirmed within five years from the date of final notification of approval of the application.

2.2.2 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.

2.2.3 The development must be undertaken generally in accordance with the site plan as referenced drawing no. 100, dated 24 November 2022 and drawn by RDC Designs cc and attached as Annexure C.

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 The approval granted shall not be contradictory to any other legislation which has a bearing on the use of the property and that should any other legislation be applicable and be more restrictive than the most restrictive conditions will apply.

2.2.6 Building plans must be generally in accordance with the site plan / floor layout plan as referenced drawing no. 100, dated 24 November 2022 and drawn by RDC Designs cc and attached as Annexure C.

2.3 The reasons for the above decision are as follows:

2.3.1 The proposed development is an extension of the existing land use of the property and will thus have not impact negatively on the character of the 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:

4.1 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

4.2 Reference to this correspondence and the relevant property details on which the appeal is submitted.

4.3 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.

4.4 Whether the appeal is lodged against the whole decision or a part of the decision.

4.5 If the appeal is lodged against a part of the decision, a description of the part.

4.6 If the appeal is lodged against a condition of approval, a description of the condition.

4.7 The factual or legal findings that the appellant relies on.

4.8 The relief sought by the appellant.

4.9 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.

4.10 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 and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@stellenbosch.gov.za

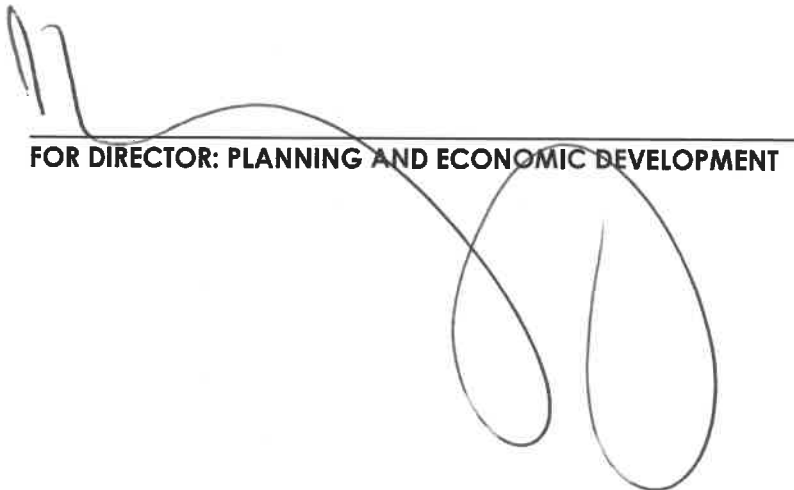
8. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

- (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 in the case of any approval, is suspended, and 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

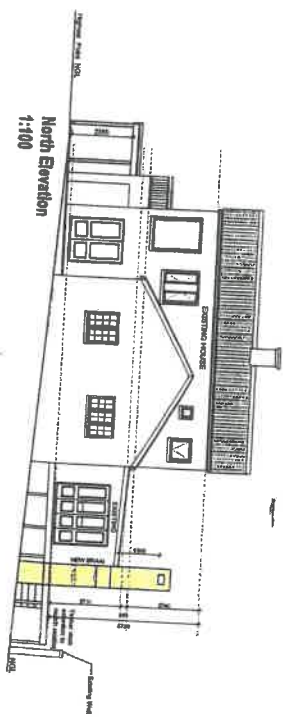


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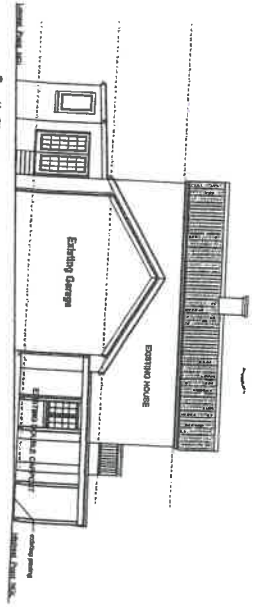
FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

30/8/2023
DATE

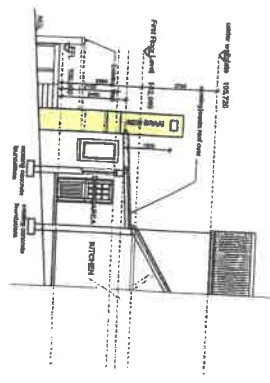
Annexure C:
Building plan



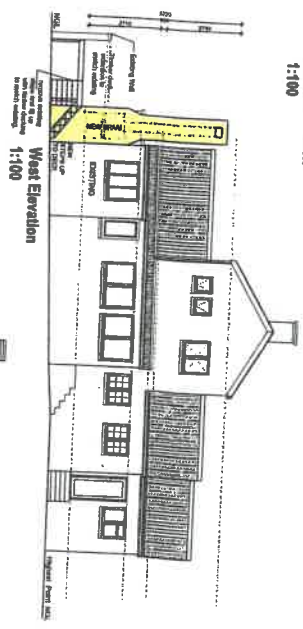
North Elevation
1:100



South Elevation
1:100



Section A-A
1:100



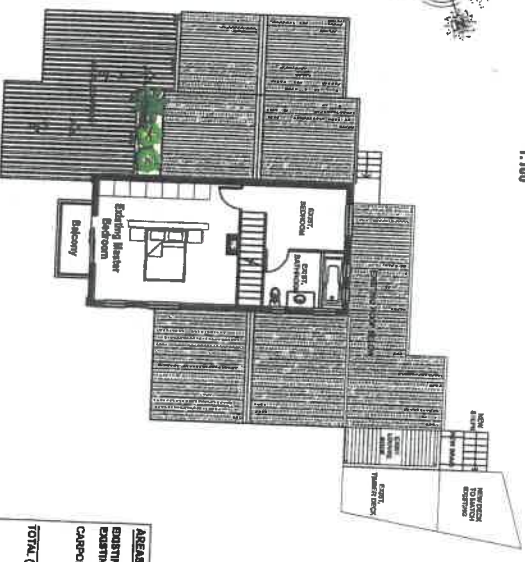
West Elevation
1:100



East Elevation
1:100



SITE & GROUND FLOOR PLAN
scale 1:100



FIRST FLOOR PLAN
scale 1:100

AREAS:	
DISTING GROUND FLOOR	• 148m ²
DISTING FIRST FLOOR	• 150m ²
CARPORT	• 30m ²
TOTAL (HOUSE & CARPORT)	328m²
COVERGE:	
PLOT AREA:	360m ²
COVERED AREA:	178m ² = 50%

WELGEVONDEN
ESTATE

Project Manager: *[Signature]*
Design Manager: *[Signature]*
General Contractor: *[Signature]*
Structural Engineer: *[Signature]*
Electrical Engineer: *[Signature]*
Mechanical Engineer: *[Signature]*
Civil Engineer: *[Signature]*
Landscape Architect: *[Signature]*
Architectural Drafting: *[Signature]*
Date of approval: December 2022

1. General notes:
a. All dimensions are in millimeters unless otherwise stated.
b. All dimensions are to be taken to the centerline of the element unless otherwise stated.
c. All dimensions are to be taken to the finished surface unless otherwise stated.
d. All dimensions are to be taken to the centerline of the element unless otherwise stated.
e. All dimensions are to be taken to the finished surface unless otherwise stated.
f. All dimensions are to be taken to the centerline of the element unless otherwise stated.
g. All dimensions are to be taken to the finished surface unless otherwise stated.
h. All dimensions are to be taken to the centerline of the element unless otherwise stated.
i. All dimensions are to be taken to the finished surface unless otherwise stated.
j. All dimensions are to be taken to the centerline of the element unless otherwise stated.
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l. All dimensions are to be taken to the centerline of the element unless otherwise stated.
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o. All dimensions are to be taken to the finished surface unless otherwise stated.
p. All dimensions are to be taken to the centerline of the element unless otherwise stated.
q. All dimensions are to be taken to the finished surface unless otherwise stated.
r. All dimensions are to be taken to the centerline of the element unless otherwise stated.
s. All dimensions are to be taken to the finished surface unless otherwise stated.
t. All dimensions are to be taken to the centerline of the element unless otherwise stated.
u. All dimensions are to be taken to the finished surface unless otherwise stated.
v. All dimensions are to be taken to the centerline of the element unless otherwise stated.
w. All dimensions are to be taken to the finished surface unless otherwise stated.
x. All dimensions are to be taken to the centerline of the element unless otherwise stated.
y. All dimensions are to be taken to the finished surface unless otherwise stated.
z. All dimensions are to be taken to the centerline of the element unless otherwise stated.

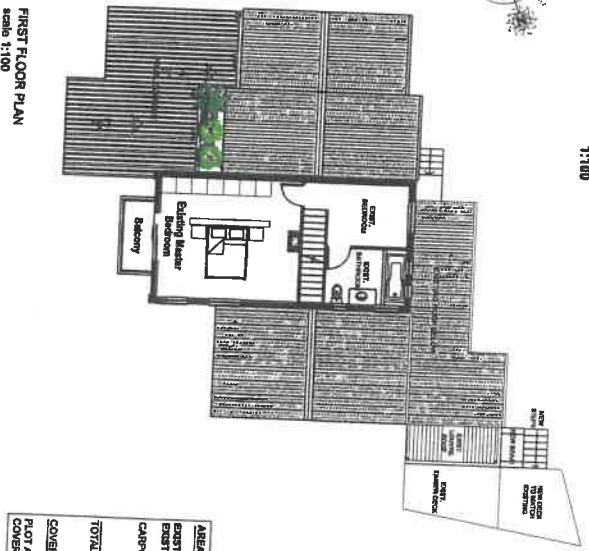
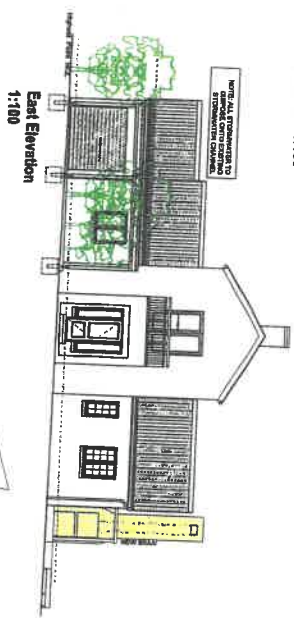
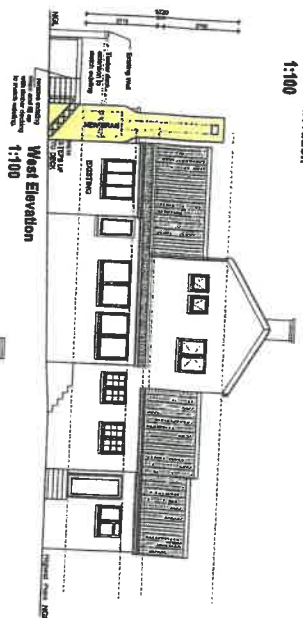
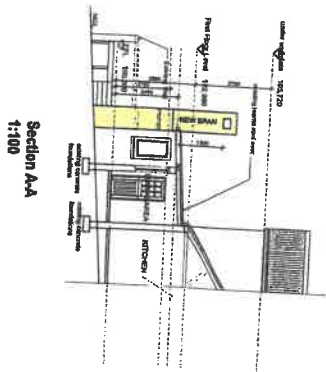
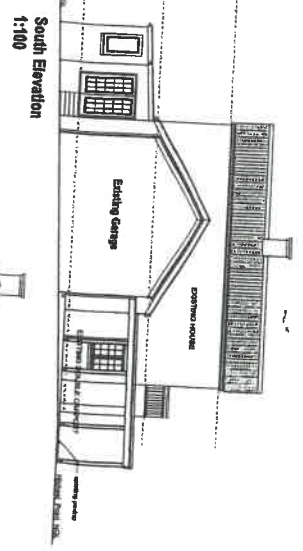
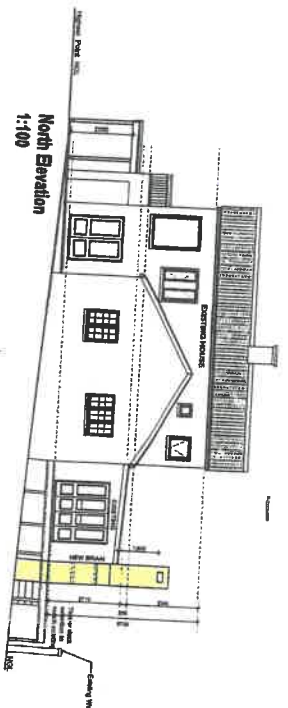
ARC Designs co
Architect
Ruud Gymer
Architect

PROJECT TITLE
PROPOSED
NEW BRAAI TO EXISTING
STOEP
ERF 12768
WELGEVONDEN ESTATE
STELLENSBOSCH

FLOOR PLANS
SECTION
ELEVATIONS

PROJECT No: M1611
Drawing No: 100
Date: 24/11/2022
Scale: 1:100
RDC

FOR APPROVAL



AREAR:	EXISTING GROUND FLOOR - 144m ²
	EXISTING FIRST FLOOR - 52m ²
CARPON:	- 32m ²
TOTAL (HOUSE & CARPON)	231m ²
COVERAGE:	
PLOT AREA:	350m ²
COVERED AREA:	178m ² - 51%

WELGEVONDEN
ESTATE
Project Manager
Gerrit Kater
Project Architect
Gerrit Kater
Date of approval: October 2022

GENERAL NOTES
1. ALL WORK TO COMPLY WITH NATIONAL, REGULATORY AND LOCAL REQUIREMENTS.
2. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS.
3. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL REGULATIONS.
4. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL PLUMBING REGULATIONS.
5. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL MECHANICAL REGULATIONS.
6. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL SANITARY REGULATIONS.
7. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL STRUCTURAL REGULATIONS.
8. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL THERMAL REGULATIONS.
9. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL VENTILATION REGULATIONS.
10. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL SOUND REGULATIONS.
11. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL LIGHT REGULATIONS.
12. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL HEAT REGULATIONS.
13. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL MOISTURE REGULATIONS.
14. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL POLLUTION REGULATIONS.
15. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL SAFETY REGULATIONS.
16. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL SECURITY REGULATIONS.
17. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL ACCESSIBILITY REGULATIONS.
18. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL ENERGY REGULATIONS.
19. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL ENVIRONMENTAL REGULATIONS.
20. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL SOCIAL REGULATIONS.

RDO Designs co
Architects
Ruard Oyster
R. Oyster 1
R. Oyster 2
R. Oyster 3

PROJECT TITLE
PROPOSED
NEW BRAAI TO EXISTING
STOEP
ERF 12769
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STELLENBOSCH

**FLOOR PLANS
SECTION
ELEVATIONS**

PROJECT NO: M1611
DRAWING NO: 100
DATE: 24/11/2022
SCALE: 1:100
RDC

FOR APPROVAL