

Application Number: LU/14197

Our File Reference Number: Erf 13410, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff Contact No: 021 – 808 8682

Email address: <u>Ulrich.Vonmolendorff@stellenbosch.gov.za</u>

PER E-MAIL:

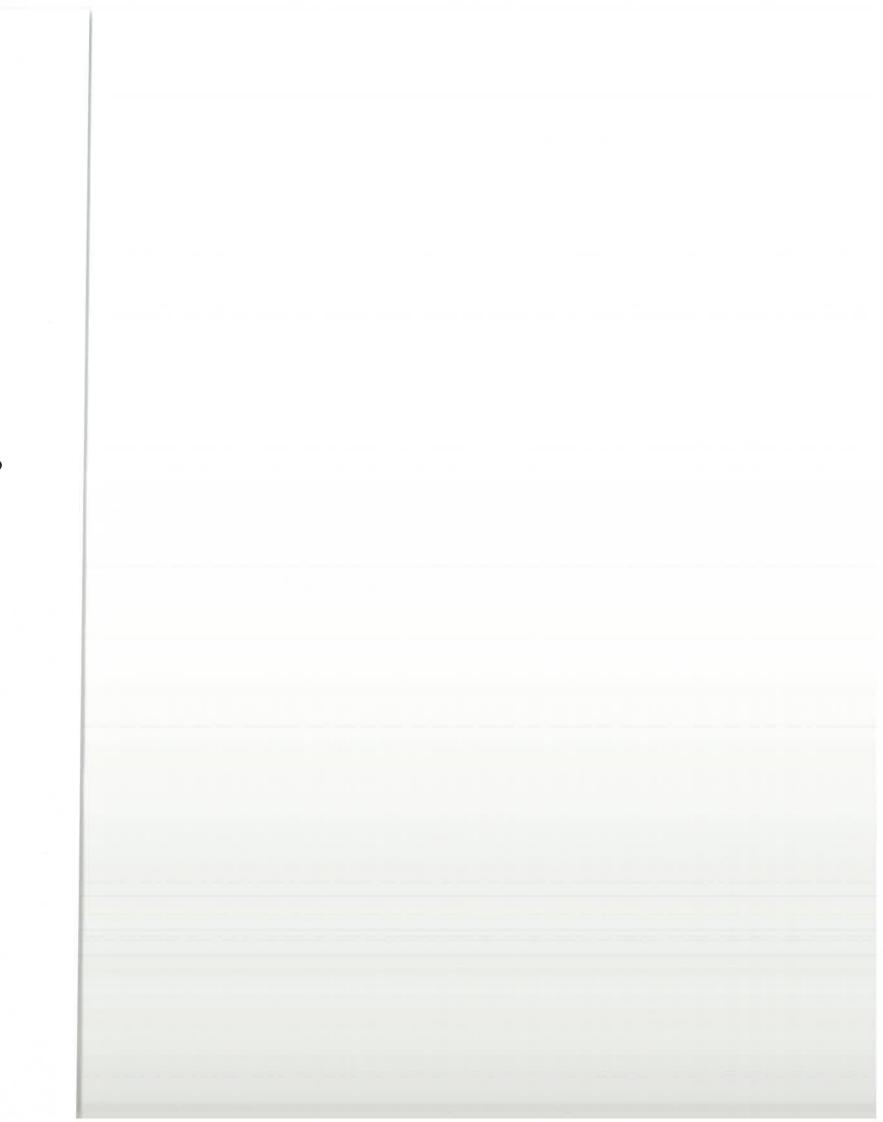
Sir / Madam

APPLICATION FOR DEPARTURE IN TERMS OF SECTION 15(2)(b) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW, 2015: ERF 13410, STELLENBOSCH

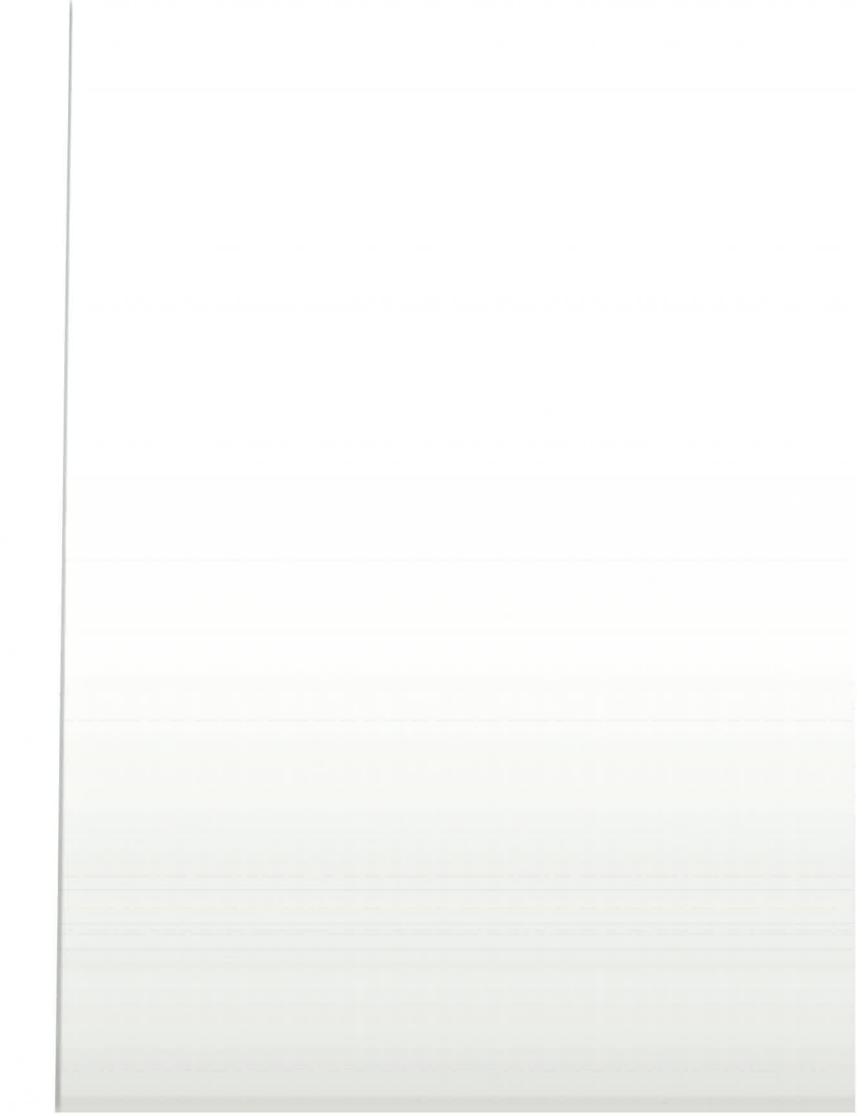
- 1. The above application refers.
- 2. The duly authorised decision maker has decided on the above application as follows:
- 2.1 That the application for a Departure on Erf 13410, Stellenbosch in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law 2015 in order to relax the street building line from **3m** to **2.7m**, 2.14m and 2.715m as well as the common building line from **1m** to **0m** for the proposed dwelling additions.

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

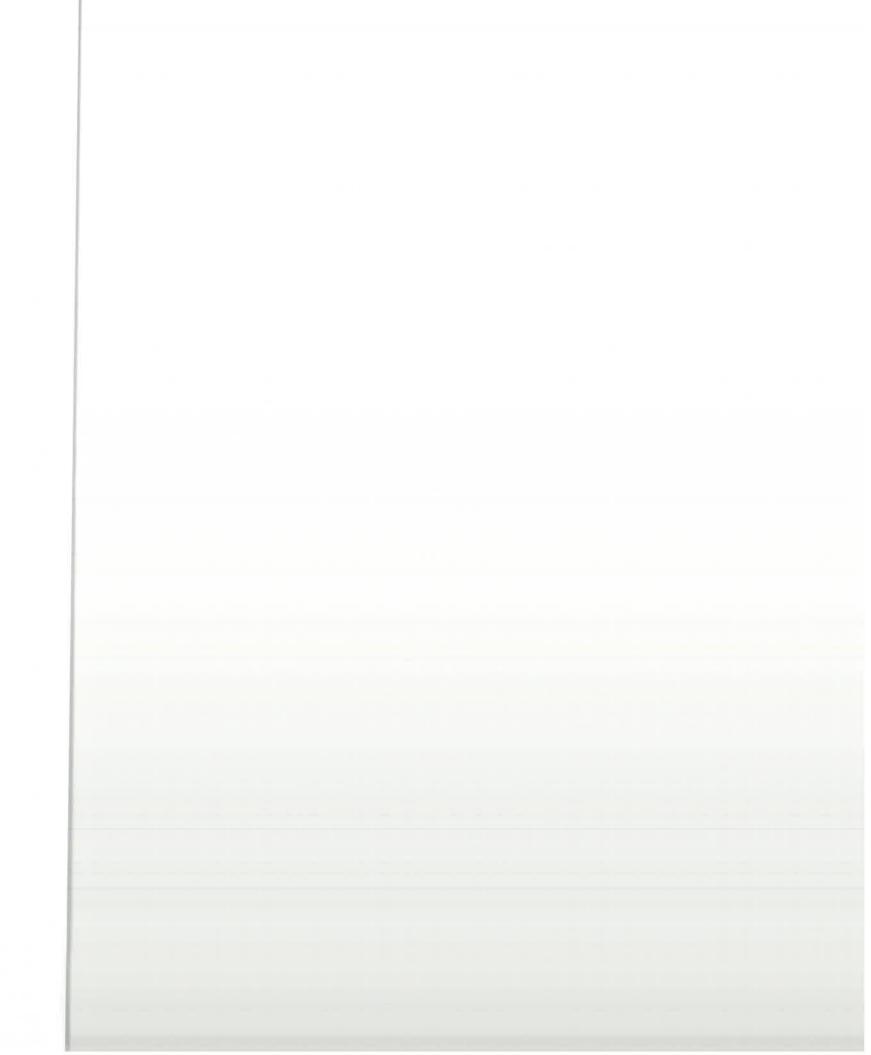
- 2.2 The approval is subject to the following conditions imposed in terms of Section 66 of said Bylaw:
 - (i) The approval only applies to the proposed departure under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or By-Laws or Regulations that may be applicable.
 - (ii) 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.
 - (iii) Building plans must be generally in accordance with the site plan/floor layout plan as referenced in (drawing 100-101, dated 09 June 2022, drawn by Bernice (dh Architecture), and attached as **Annexure B.**
- 2.3 The reasons for the above decision are as follows:
 - 2.3.1 The encroachment of the building line does not undermine the character of the area due to the use and small scale thereof.



- 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:
 - (1) 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 and 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

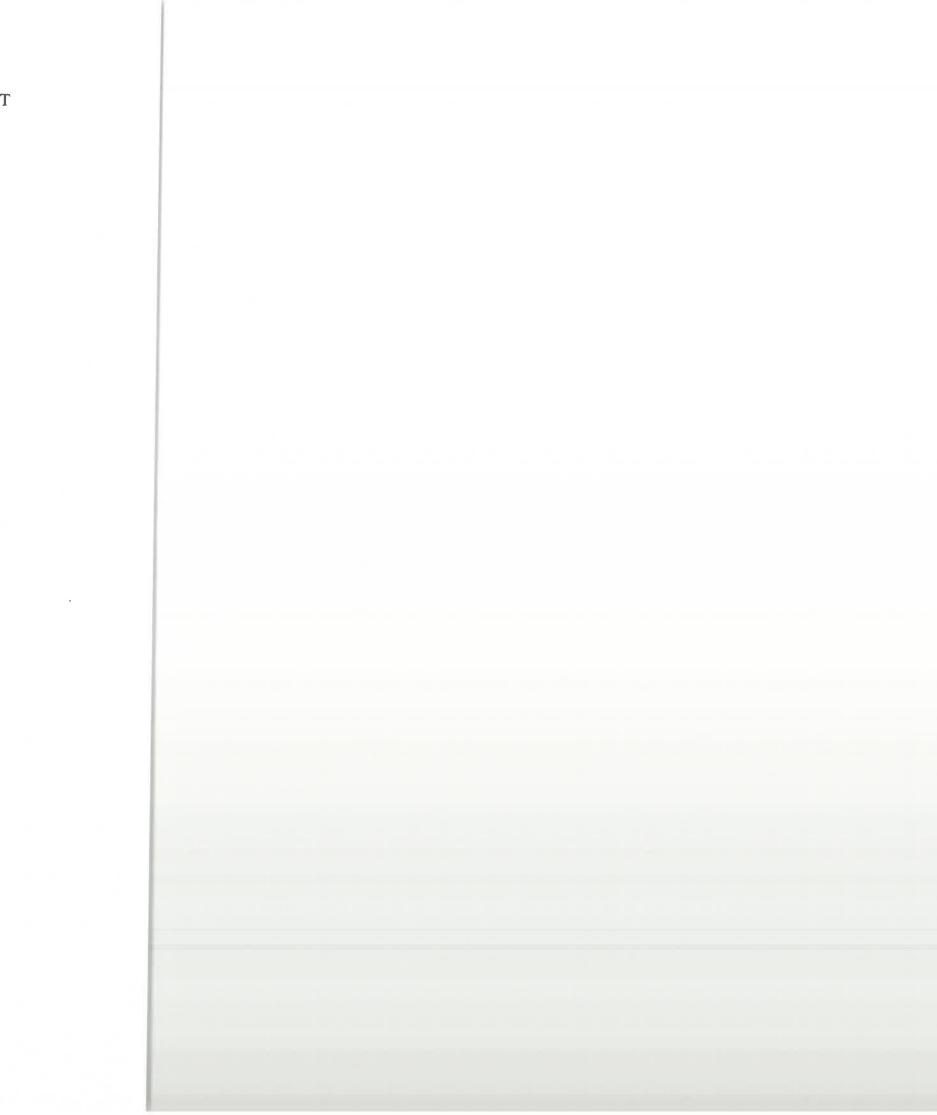
9 2022



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ANNEXURE B

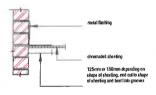
SITE PLAN / FLOOR LAYOUT PLAN



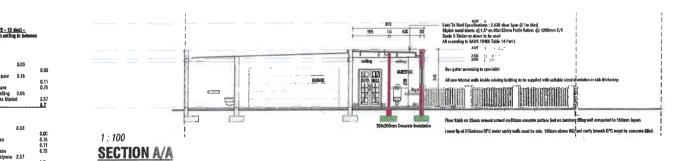


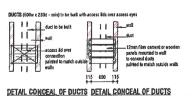
NORTH WEST ELEVATION



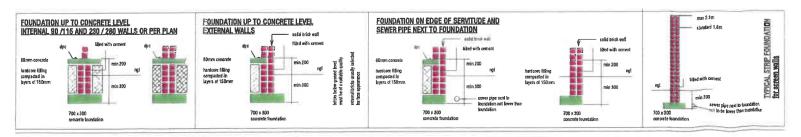


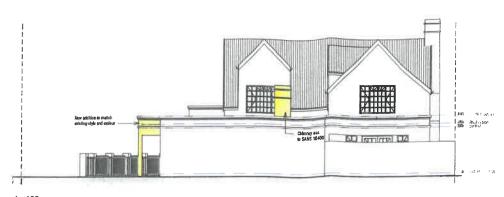
FLASHING ON SIDE OF CHIMNEY chromadek sheeting





DETAIL CONCEAL OF DUCTS DETAIL CONCEAL OF DUCTS
ACCESS LID ONLY FIBRE CEMENT LIDS or Wooden PLANKS

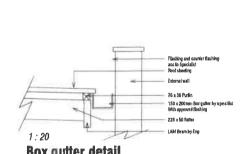


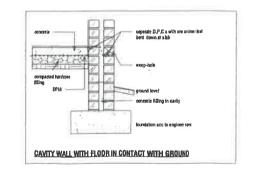


1:100 **NORTH EAST ELEVATION**

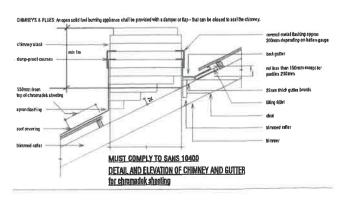


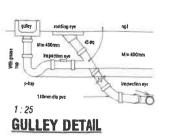
SOUTH WEST ELEVATION





Box gutter detail





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architecture
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ER LAAN, ERF 1341	HOUSE VAN DER LAAN, ERF 13410, STEL	O, STE
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GENERAL SPECIFICATIONS:

STRUCTURE:

ALL WALLS ON FOUNDATIONS AND R.C.

STRUCTURE TO ENIG. SPECS. AND APPROVAL.

OTHER R. CONC. I.E. BEAMS, FLOORS, WALL

FOUNDATIONS ETC. TO ENIG. SPECS.

FOOTINGS:

ALL FOOTING AS PER ENIG. SPECS.

FLOORS:

FLOORS: FINISH AS SPECIFIED ON PLAN, ON 30mm SCREED, ON 100mm MASS CONC. ON 375 MICHON DPM, ON 50mm SAMDBINDING, ON WELL COMPACTED FILL IN LAYERS NOT EXCREDING 150mm, FILL TO 8E COMPACTED AS PER ENG.

COMPACTED AS PER ENG.
WALLS:
280mm CANTY WALLS TO HAVE 4 WALL TIES PER SOM
PLASTER
WALLS TO BE PLASTERED 15mm BYTERWALLY AND
20MM EXTERNALLY UNLESS OTHERMISE
SPECIFIED PAINT TO LATER SPECS.
manner.

ROOF:
SEE PLAN FOR ROOF CONSTRUCTION
PARAPETS AND BALLISTRADE WALLS:
TOPS TO BE PLASTERED TO SLOPE TOWARDS
BUILDING, TOPS OF PARAPETS TO BE TREATED
WITH GED-FLEX LIDLING OR SIMILIAR

WITH GEO-FLEX LIQUID OR SIMILIAR
WATERPROOPING. DOMC. RODIE:
CONC. ROOF TO HAVE SCREED TO FALL TO
FULBORE OR GRADIVEL SCREED TO BE PRIMED
FOR TORCH ON WATERPROOPING BY SPECIALIST.
TORCH OF WATERPROOPING TO A FORESCEN LIVET.
BEFORE WATERPROPING TO BE ORESCEN LIVET. PIECE. WATERPROOFING TO BE DRESSED INTO FULLBORES AS PER SUPPLERS SPECS, ENDOF TORCH ON WATERPROOFING TO BE SEALED WITH GEO-FLEX CLOTH AND LIQUID.

DPC: ALL CAVITY WALLS TO HAVE STEPPED DPC150MM MINIMUM ABOVE NGL WITH WEEPHOLES, ALL DOORS AND WINDOWS TO HAVE STEPPED DRC WITH WEEPHOLES ABOVE AND VERTICAL DPC BUILT INTO WALLS. ALL DPC'S ARE TO BE SABS

APPROVED.
STORMWATER
ALL STORMWATER TO BE LEAD OFF PROPERTY
TO MEAREST CHANNEL OR MUNICIPAL
STORMWATER DRAIN.

STORMWATER DRAIN.

POOL:

POOL TO BACKWASH INTO SEWER SYSTEM
GLASS:

GLASS:
ALL GLAZING TO COMPLY WITH RECURREMENTS
OF SAMS 10400 - ACCESS DOORS AND SIDELIGHTS
TO HAVE SAFTY GLASS. WINDOWS LOWER THAN
500mm FROM FLOOR, WINDOWS LOWER THAN
1800mm ROWE PITCH LINE OF STARS AND SHOP
FRONIST ID BE SAFETY GLASS.

WINDOWS AND DOORS: ALL SECTIONS AND POWDERCOATING FOR WINDOWS AS PER AAMSA SPECS, FOR COASTAI CONDISIONS, POWDER COAT COLOUR TO LATER

SPECS.

BALLISTRADES AND HANDRAILS:

ALL HANDRAILS AND BALSTRADES TO BE 1000mm
FROM FFIL BALSTRADES TO HAVE NO OPENINGS

ALL HANDDHAILS AND BALSTHADES TO BE TUDIMON FROM A FROM A FINANCIA STATE THAN 100 mmg/L ALL BALLSTRADES TO BE ACCORDING TO SAMS 10400.

VENTILATION.

ALL HABITA ROOMS TO HAVE 10% NATUFAL LIGHT AND 5% VENTILATION AS FER NRS CURRACTOR ARNS TO BE BUSTALED IN TOILETS CONNECTED TO LIGHT SWITCHES, DOINS TO BE CONNECTED TO LIGHT SWITCHES, DOINS TO BE SECOND PER TOILET AGAINST SYSTEM PERSTANCE, MANDMAIN ANDSE AT BOUNDAMY TO BE AS DEAD LICETS TO BE 100M MANS DUCTURE, MECHANICAL VENTILATION AS FER ENG. SPECS.

STANGEASES:
STANGEASES
TO BE MINIMUM 250mm.
TREADS TO BE MINIMUM 250mm.
COND. STANGEASES TO DIES, SPECS.
CEILINGS:
CEILINGS:
CEILINGS:
CEILINGS BY SPECIALIST, ALL CRITINGS ARE TO BE APPOPRIATE THICK GYPS LIM BOARD, SKIMMED AND PAINTED ON ASSOR BRANDERING AT 400mm CCS BY ONE DIRECTION ONLY.
BUKKHEADS AND CORNICES TO LATER SPECS.

STELLEBOSCH

13410,

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HOUSE VAN DER LAAN,

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THIS DRAWING REMAINS THE PROPERTY (ME orchitecture . NO SCALING OFF THIS DRAWING, ALL DIMENSIONS AND LEVELS TO BE CHECKED ON SITE PRIOR TO ANY BUILDING WORK COMENCING, ANY DECREPANCE REPORTED TO THE ARONTECT.