



Application Number: LU/12860

Our File Reference Number: Erf 14814, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: 

Sir

APPLICATION FOR A DEPARTURE ON ERF 14814, STELLENBOSCH

1. The above application refers, This letter replaces my letter dated 06 October 2021.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the application for a permanent departure in terms of Section 15.2(b) of the Stellenbosch Municipality Zoning Scheme By-Law, in order to relax the street and lateral building lines (adjacent to Erf 14815) respectively from **3m to 1.3m** and from **1.5m to 0m** for the proposed raised open stoep with a braai area on Erf 14814, Protea Street, Stellenbosch, as indicated on drawing No. 18-093-01 dated 12 October 2018, drawn by Red Atlantic Architecture.

BE APPROVED in terms of Section 60 of the said Bylaw, and subject conditions of approval in terms of Section 66 of the said Bylaw:

Conditions of approval.

- 2.2 The approval applies only to the proposal in question and shall not be construed as authority to depart from any other Council requirements or legal provisions:
- 2.3 Building plans must be submitted to this municipality for approval, prior to any building work commencing on site.

3. The **REASONS** for the above decisions are as follows:

3.1 The proposal will form part of the extension to the existing patio, and serve as a private recreational area for the family which is in keeping with the current land use of the subject property. The proposal will not have any negative impact on the surrounding area.

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.

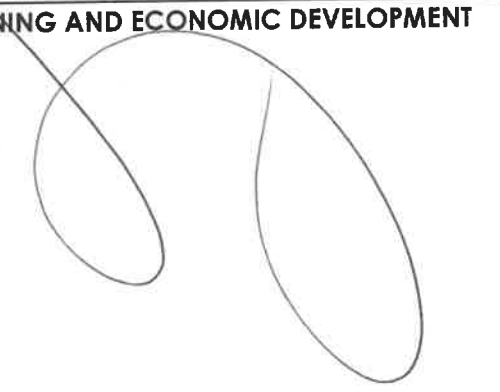
10. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

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

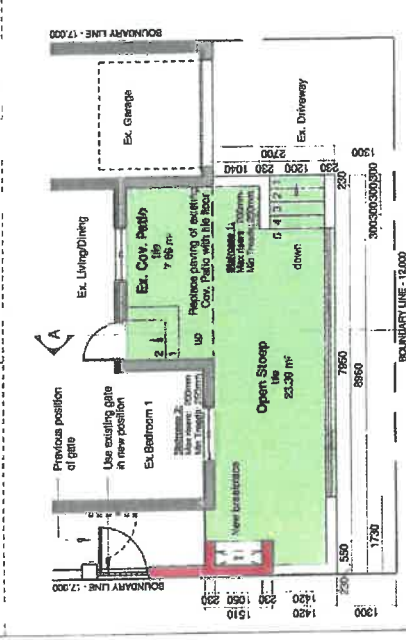


12/10/2021
DATE:

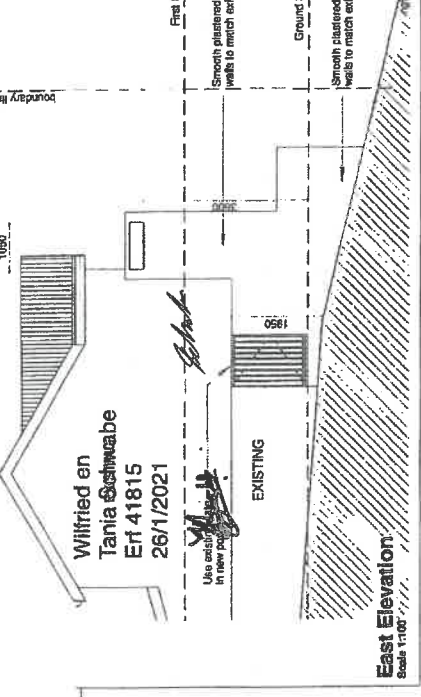
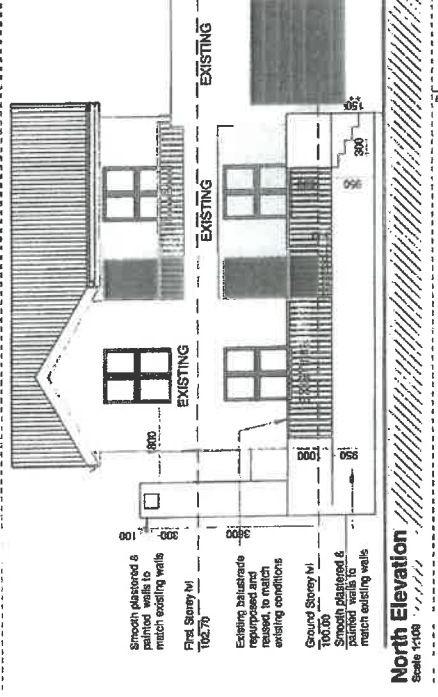
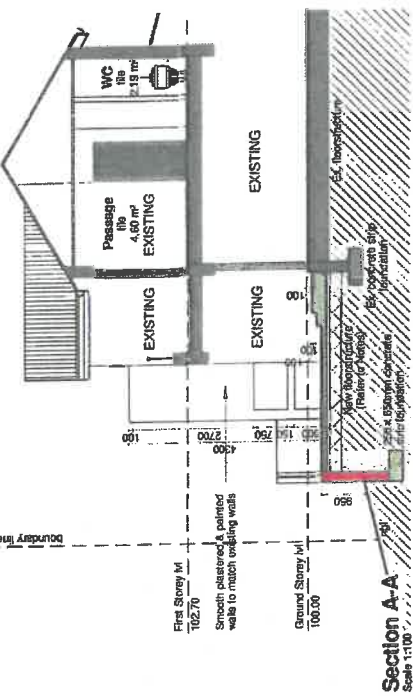
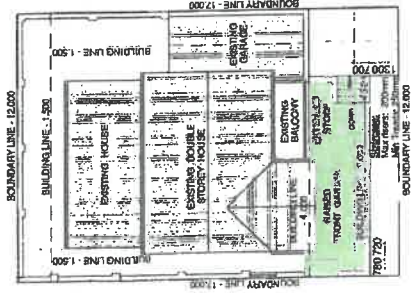
DEVELOPMENT DATA:

Ground Floor Level:	69.80 sqm
First Floor level:	160.56 sqm
Site Area:	204.00 sqm
Ex. Ground:	
- House	69.80 sqm
- Garage	19.50 sqm
Total	89.30 sqm
New Ground:	
- Covered Steep	7.60 sqm
- Open Steep	23.50 sqm
Ex. First:	
- House	41.90 sqm
Total	41.90 sqm
Grand Total	96.90 sqm
- Total Cov areas	
- Incl. cov. Steep	

Site and Roof Plan
Scale 1:200



Ground Storey Plan
Scale 1:100



COLOUR SCHEME (to be confirmed by client)
 External Wall Paint:
 - Client to choose colours from colour chart
 - Approved by the HOA
 - Client to provide samples from colour chart
 - Approved by the HOA

LEVELS AND DIMENSIONS:
 - Secondary levels and to check all levels before construction commences. The building to be laid out and erected in the position and to the levels as indicated on site. General - All top soil must be removed from the area to be built upon. All grading and leveling of ground will be done by qualified civil contractor.
 - To be checked on site prior to commencement of any building work or ordering of any building material. Final finished dimensions in preference to scaling. All work to comply with SANS 10400. All finishes to comply with the HOME OWNERS ASSOCIATION.

GENERAL PRINCIPLES AND REQUIREMENTS

BUILDING CLASSIFICATION: (SANS 10400 - Part A)
 Occupancy - H4 - Dwelling houses.
 Population - 2 persons per bedroom.

STRUCTURAL DESIGN: (SANS 10400 - Part B)
 A competent person, Structural Engineer, will design, specify and certify parts H, J and K.

SITE OPERATIONS: (SANS 10400 - Part F)

PREPARATION OF SITE
 Before any foundation is laid the area to be covered by any building shall be cleared of all vegetation and any material contaminated with toxic substances, medical, septic or refuse and any material contaminated with toxic substances. Any building that is situated on a site where water will drain naturally towards it, drainage shall be provided to direct such water away from such site or building to a stormwater drain or to dispose of it in some safe approved manner. Sanitary facilities and its supply shall be to the owner and be available for use for any personnel employed for the work to be done.

EXCAVATIONS: (SANS 10400 - Part G)
 Where any excavation related to a building is carried out or it to be carried out on the site, the contractor shall ensure that the excavation is carried out in a safe manner and ensure that the safety and stability of such property or service is maintained. While any excavation remains open, and during the placing of any foundation within it, the excavation shall be maintained in a safe condition by the owner or person carrying out the excavation.

FOUNDATIONS: (SANS 10400 - Part H)
 Foundation mass concrete in-situ 1:4:5 normal mix having a compressive strength of 25MPa. Foundations shall be cast on a 200mm concrete pad and be cast with 20mm coarse aggregate, for subsoil walls. Foundation walls to be filled with concrete up to floor level. Minimum requirements: base bearing wall min. 900x300mm and non load bearing walls minimum 800 x 250mm.
 A competent person is required to design and inspect the walls where the maximum height of the wall is more than 2.5m. The design shall take into account the soil conditions, provided that at the change of elevation, the ground behind any step is adequately drained and the step waterproofed.
 The design shall increase the stability of the surface during that might be required to prevent the passage of moisture into the interior of the building footprint.
 - Services trenches to be 1500mm away from building where possible.

FLOOR CONSTRUCTION: (SANS 10400 - Part J)
GENERAL NOTES
 - The floor of any laundry, kitchen, shower-room, bathroom or room containing any moisture present is prevented from penetrating the concrete floor slab.
 - Any concrete floor also supported on ground or filling must be constructed so that any moisture present is prevented from penetrating the concrete floor slab.

GROUND STOREY (reference level)
 Floor finish as specified on plans on 50mm cement screed on 100mm concrete slab. The floor finish shall be finished with a 20mm concrete screed finished with P.C. 50mm. Clean floor and base coat must be completed. Fill from suitable material compacted in layers to 66 MDD.A.S.S.H.T.O. Skirtings to match existing skirting to walls at 100mm C.C. max. Hardwood floor finish on existing tiled floor finish.

WALL CONSTRUCTION: (SANS 10400 - Part K)
 External: 230mm clay brick cavity walls. External: Smooth plastered and painted.
BOUNDARY WALLS: (SANS 10400 - Part L)
 Substrate to be 1.00m high with openings no more than 100mm wide.

CHIMNEYS: (SANS 10400 - Part V)
 Brick built Chimneys opening min 1.00m above roof to be built from brickwork. All chimneys must be fitted with stainless steel gas spark arresters & flow cap.

RAILINGS AND REPLACES: (SANS 10400 - Part U)
 Railing to be built from metal tube posts, square galvanized with flow cap. Height of railing to be confirmed by client. Railing to be built from metal tube posts, square galvanized with flow cap. Height of railing to be confirmed by client. Railing to be built from metal tube posts, square galvanized with flow cap. Height of railing to be confirmed by client.

EXTERNAL LIGHT FITTINGS:
 All fittings to be approved by HOA. Installation to be overseen by qualified electrician.

RED ATLANTIC
architecture

HOUSE CARSTENS

Proposed Steep retaining wall & braaiplace/chimney to ex. property on Erf 14814, Welgevonden Estate, STELLENBOSCH

Site plan, Ground Storey plan, Section, Elevations & Notes

12 October 2018
 as indicated
 R van Jaarsveld
 07 December 2018

18-093-01

ALL DRAWINGS AND DIMENSIONS MUST BE CORRELATED BEFORE ANY MATERIALS ARE ORDERED OR BUILDING WORK COMMENCES. ANY DIFFERENCES MUST BE BROUGHT UNDER THE ATTENTION OF THE ARCHITECT IMMEDIATELY. COPYRIGHT IS RESERVED ON ALL DRAWINGS AND DESIGNS.