



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15738 (TP381/2023)

Our File Reference Number: Erf 15375, 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 ON ERF 15375, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
3. That the application for a Departure on Erf 15375, Stellenbosch in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-law 2023 in order to relax the common building line from 1.5m to 0m for the proposed covered stoep.

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

4. The approval is subject to the following conditions imposed in terms of Section 66 of said Bylaw:
 - 4.1 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.
 - 4.2 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.

4.3 Building plans must be generally in accordance with the site plan / floor layout plan as referenced A103 revision C, drawn by LT, dated 01 September 2022, and attached as **Annexure B**.

4.4 Conditions imposed by the Fire Services Department as contained in the email dated 20 February 2024 and attached as **Annexure D**, be complied with.

5. The reasons for the above decision are as follows:

5.1 The proposal is in line with the existing land use of the property and will not have a negative impact on the character of the surrounding area.

6. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 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.

7. 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:

7.1 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

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

7.3 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.

- 7.4 Whether the appeal is lodged against the whole decision or a part of the decision.
 - 7.5 If the appeal is lodged against a part of the decision, a description of the part.
 - 7.6 If the appeal is lodged against a condition of approval, a description of the condition.
 - 7.7 The factual or legal findings that the appellant relies on.
 - 7.8 The relief sought by the appellant.
 - 7.9 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.
 - 7.10 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.
8. 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.
9. 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.
10. 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.
11. 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.

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

13. 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

A handwritten signature in black ink, consisting of a series of loops and curves, positioned above a horizontal line.

FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

15/3/2024.
DATE:

Rev	Date	Issued by	Description
A	20220901	WHOA SA	WHOA SA
B	20220918	WHOA Rev	WHOA Rev
C	20221017	WHOA Rev	WHOA Rev parking

COUNCIL NOTES

- GENERAL:**
- 1 ALL WORK TO BE DONE IN ACCORDANCE WITH SANS 10400
 - 2 SANS 10400 TO BE SATISFIED PER MEANS SPECIFIED IN SCHEDULE A AND B, SANS 10400-A;
 - 3 DO NOT SCALE. REFER ONLY TO DIMENSIONS.
 - 4 ALL DIMENSIONS, GRADIENTS AND STEPS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION AND ANY DISCREPANCIES TO BE REPORTED TO THE ARCHITECT IMMEDIATELY.
- STRUCTURAL DESIGN:**
- 3 IF NO STRUCTURAL ENGINEER HAS BEEN APPOINTED ACCORDING TO FORM 1 THE STRUCTURAL SYSTEM TO COMPLY WITH THE DETAIL REQUIREMENTS OF SANS 10400 PARTS 4-11.4.1.1 OR 4.11.4.2 AND IN THE CASE OF TOWER BUILDINGS WITH SANS 10400.
- SITE OPERATIONS:**
- 1 PROVISION OF SANITARY FACILITIES DURING CONSTRUCTION TO COMPLY WITH THE DETAIL REQUIREMENTS OF SANS 10400-3. SUBMIT PROPOSAL TO THE ARCHITECT FOR APPROVAL.
 - 2 ALL CLAY MASONRY OR CONCRETE BLOCK WALLS TO BE CONSTRUCTED IN STANDARD SIZE BAY BRICKS OR STANDARD SIZE CONCRETE BLOCKS.
 - 3 ROOF COVERINGS WATERPROOFING SYSTEMS, AND FLAT ROOFS, GUTTERS AND DOWN PIPES TO COMPLY WITH THE DETAIL REQUIREMENTS OF SANS 10400-B, AND SANS 10400-B UNLESS OTHERWISE SPECIFIED IN FORM 1.
 - 2 FIRE RESISTANCE AND COMBUSTIBILITY OF ROOF AND CEILING ASSEMBLY TO COMPLY WITH FIRE ENGINEER'S REQUIREMENTS UNLESS OTHERWISE SPECIFIED IN FORM 1.
 - 1 HEALTH & PUBLIC SAFETY:
 - 1 CHANGES IN LEVEL, RAMPS AND DRIVEWAYS, AND ACCESS TO SWIMMING POOLS TO COMPLY WITH SANS THE DETAIL REQUIREMENTS OF SANS 10400-D UNLESS OTHERWISE SPECIFIED IN FORM 1.
 - 2 ACCESS TO THE SITE:
 - 1 ACCESS TO THE SITE:
 - 3 THE MEANS FOR PROVIDING FACILITIES FOR PEOPLE WITH DISABILITIES IS IN ACCORDANCE WITH SANS 10400-3 UNLESS OTHERWISE SPECIFIED IN FORM 1.
- DRAINAGE & STORMWATER:**
- 1 DRAINAGE SYSTEM TO COMPLY WITH THE DETAIL REQUIREMENTS OF SANS 10400-P UNLESS OTHERWISE SPECIFIED IN FORM 1.
 - 2 STORMWATER DISPOSAL TO COMPLY WITH THE DETAIL REQUIREMENTS OF SANS 10400-R UNLESS OTHERWISE SPECIFIED IN FORM 1.
- FINISHES & MATERIALS:**
- 1 MATERIALS AND FINISHES AS INDICATED ON THE DRAWINGS, MATERIAL NOTES AND/OR FINISHES SCHEDULES.
 - 2 MASONRY WALLS TO BE PLASTERED AND PAINTED UNLESS OTHERWISE SPECIFIED ON THE DRAWINGS.

Project: Alterations and Additions to 19 Katbos Street, Welgevonden, Stellenbosch

Drawing: Ground Storey Plan

Scale: 1:100

Date: 01/09/22

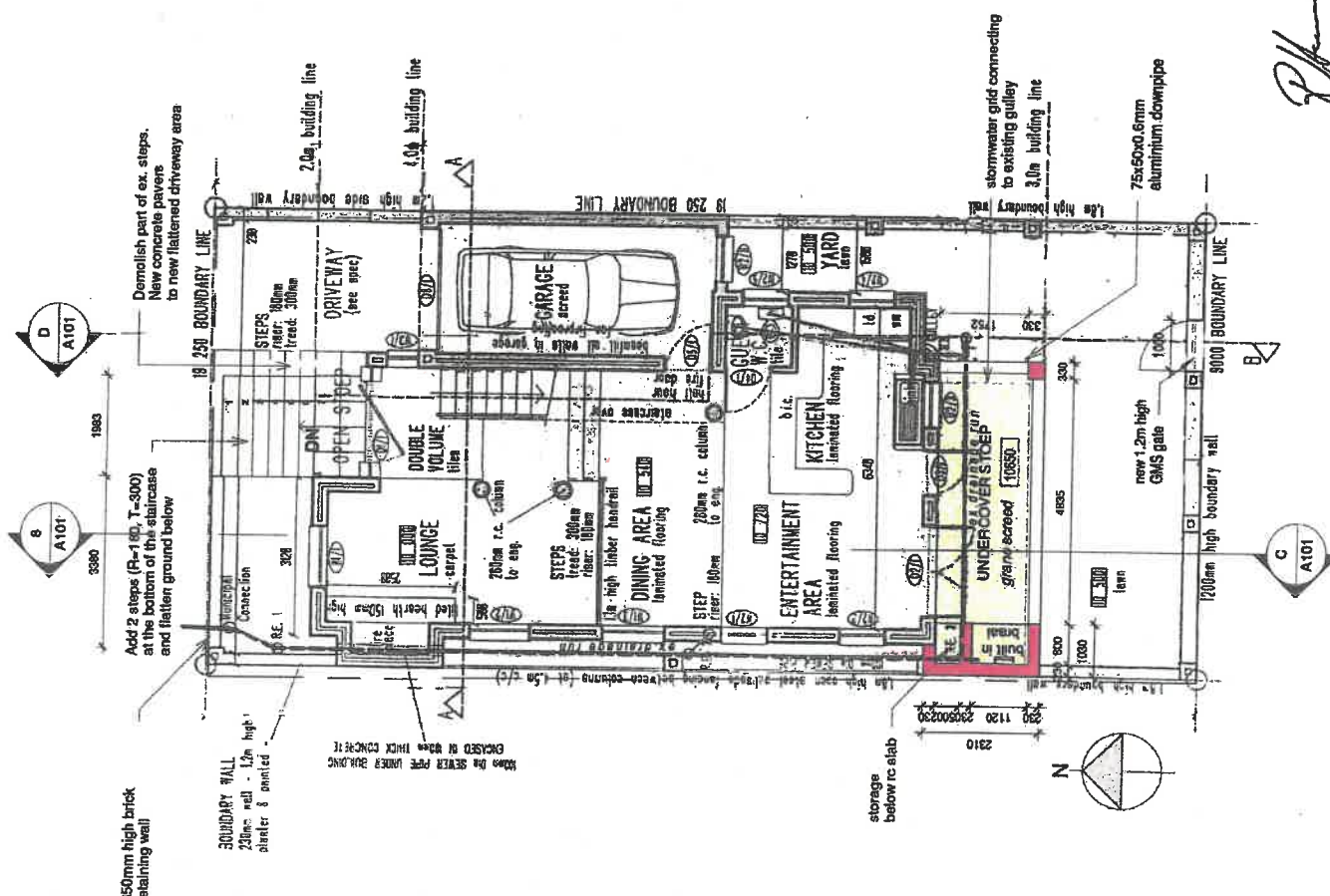
Drawn by: LT

Checked by: 0088

Number: A103

Sheet: C

2022/017/1445/4



Handwritten signatures and initials.

PIA/23/3058092
75 Welgevonden Boulevard, Welgevonden
Stellenbosch

Thuthula Mazana

From: Yulanda Scholtz
Sent: Tuesday, February 20, 2024 2:29 PM
To: Thuthula Mazana
Subject: RE: Comment on permanent departure application on Erf 15375, Stellenbosch

The applicant must be in compliance with SANS 10400- T :2020 & V 2020. (no openings must be allowed /braai area/side)

Hope this will help you.



Kind regards,

Yulanda Scholtz

Head: Fire Safety

Fire & Disaster Management
Community & Protection Services

T: +27 21 808 8881 | Cell: 082 6757 219
c/o Cluver & Helshoogte Road,
Stellenbosch, 7600
www.stellenbosch.gov.za



Disclaimer and confidentiality note: The legal status of this communication is governed by the terms and conditions published at the following link:
http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm

From: Thuthula Mazana <Thuthula.Mazana@stellenbosch.gov.za>
Sent: Tuesday, February 20, 2024 9:54 AM
To: Yulanda Scholtz <Yulanda.Scholtz@stellenbosch.gov.za>
Subject: Comment on permanent departure application on Erf 15375, Stellenbosch

Good day Yulanda,

May you please provide a comment to this proposed dwelling extension.

The application is for permanent departure to relax the western common building line from 1.5m to 0m for the construction of a covered stoep with a braai.

Comment from your department will be appreciated.

Kind Regards,

Thuthula Mazana (Pr. Pln.)
