



**STELLENBOSCH**

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14103

Our File Reference Number: Erf 15464, Stellenbosch

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: [Ulrich.Vonmolendorff@stellenbosch.gov.za](mailto:Ulrich.Vonmolendorff@stellenbosch.gov.za)

PER E-MAIL: [REDACTED]

Sir/Madam

**APPLICATION FOR A DEPARTURE TO RELAX THE SIDE BUILDING LINE AND THE REAR BUILDING LINE IN ORDER TO ACCOMMODATE A PROPOSED SWIMMING POOL WITH A DECK ON ERF 15464, 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 in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 for a permanent departure to relax the side building line adjoining Erf 15297 from 1,5m to 0,5m and the rear building line from 3m to 0,5m in order to accommodate a proposed swimming pool with deck on Erf 15464, Stellenbosch;

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

The approval is subject to the following conditions imposed in terms of Section 66 of said Bylaw:

2.2 The approval only applies to the application under consideration, as indicated on the site plan referenced 21-193 Sheet Nr. 001 REV 02, dated 20-01-2022, attached as **Annexure A** 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.

2.3 Building plans must be generally in accordance with the site plan / floor layout plan referenced 21-193 Sheet Nr. 001 REV 02, dated 20-01-2022 and attached as **Annexur**

The reasons for the above decision are as follows:

2.4 The proposal is considered to be compatible with the residential character of the Welgevonden Estate as a number of swimming pools found in the area encroaches the common building lines.

2.5 Welgevonden Homeowners Association approval and the adjoining property owner's consent was obtained.

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.

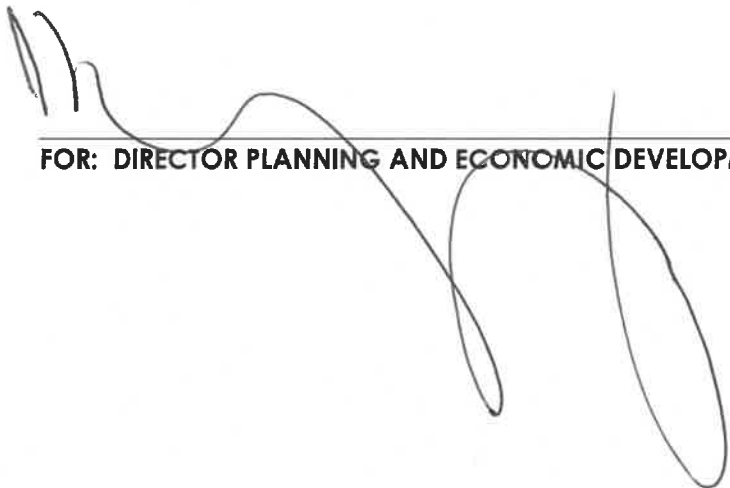
5. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address:  
[landuse.appeals@stellenbosch.gov.za](mailto:landuse.appeals@stellenbosch.gov.za)
6. Any party (applicant or other) who lodges an appeal must pay the applicable 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**

19/7/2022  
DATE:

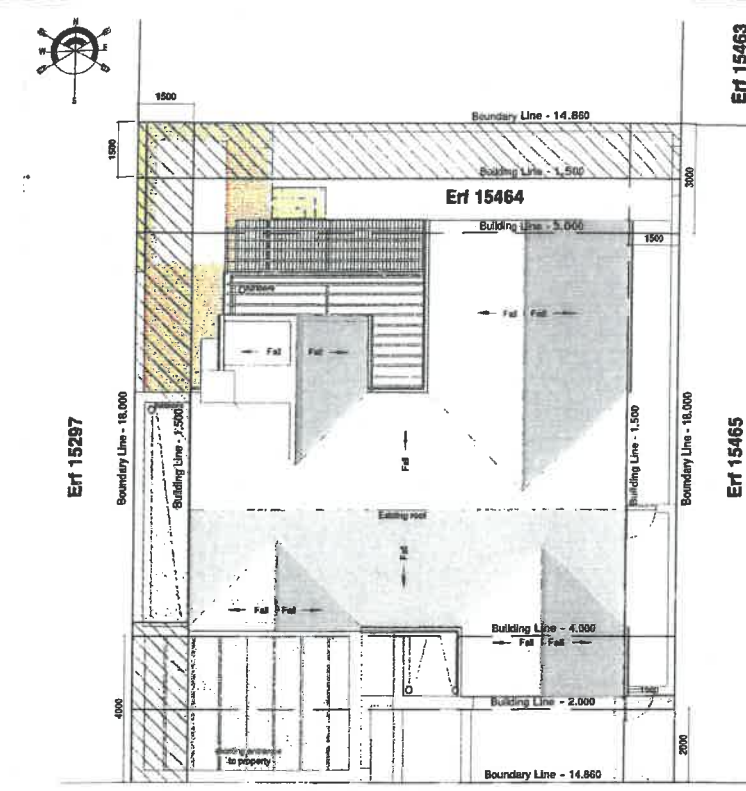
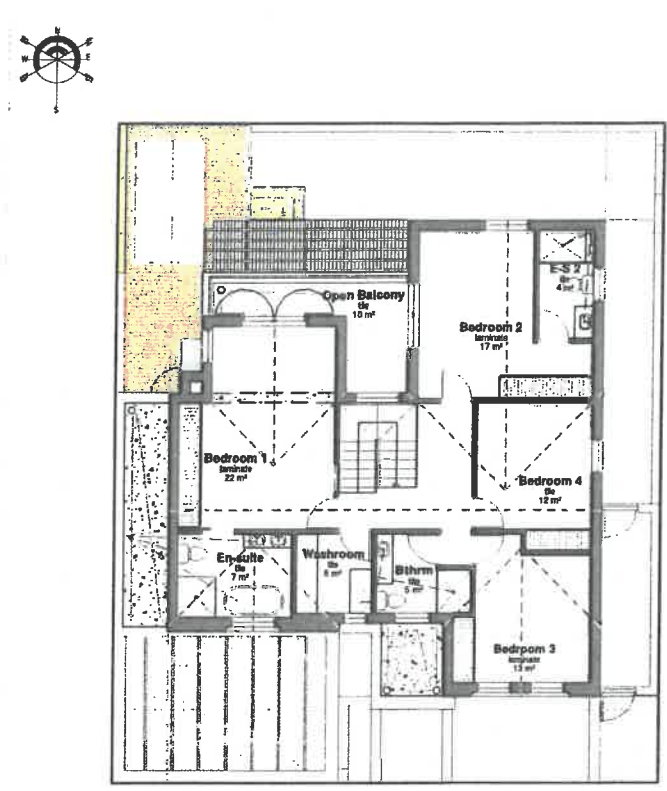
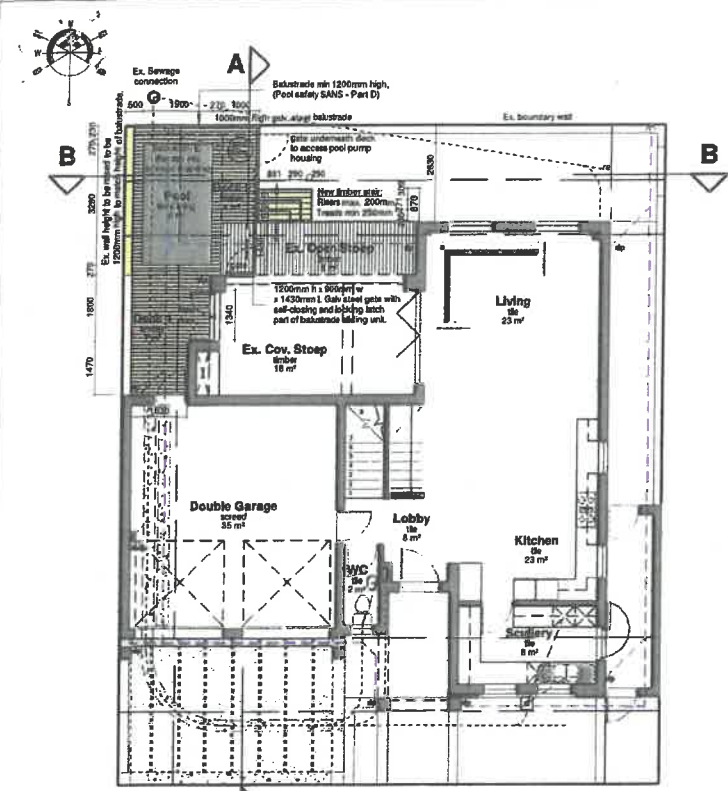


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## **ANNEXURE A**

LOCALITY MAP AND SITE PLAN



**DEVELOPMENT DATA:**  
Site area: 287,48 sqm  
Existing Ground Storey: 75,00 sqm  
Garage: 41,00 sqm  
Cov. Stoop: 19,00 sqm  
Cov. Entrance: 4,00 sqm  
Total: 159,00 sqm

**Proposed Ground Storey:**  
Open Deck: 12,00 sqm  
Swimming pool: 6,00 sqm  
Total: 18,00 sqm

**Existing First Storey:**  
House: 111,00 sqm  
Open balcony: 10,00 sqm

**LEVELS AND DIMENSIONS:**  
Land survey to contain all boundary page 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 PRINCIPLES AND REQUIREMENTS:**  
**BUILDING CLASSIFICATION:** (SANS 10400 - Part A)  
Occupancy - H4.

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

**FINISHES:** (SANS 10400 - Part C)  
Minimum ceiling heights to be 2,60m. Minimum Habitable Room size to be 6,00m².

**PUBLIC SAFETY:** (SANS 10400 - Part D)  
**CHANGES IN LEVEL:**  
Any door level higher than 1,80m above adjacent ground or floor level must be provided with a balustrade or wall. Balustrade or wall may not be less than 1,20m high, must not have openings that will permit the passage of a 100mm diameter ball.

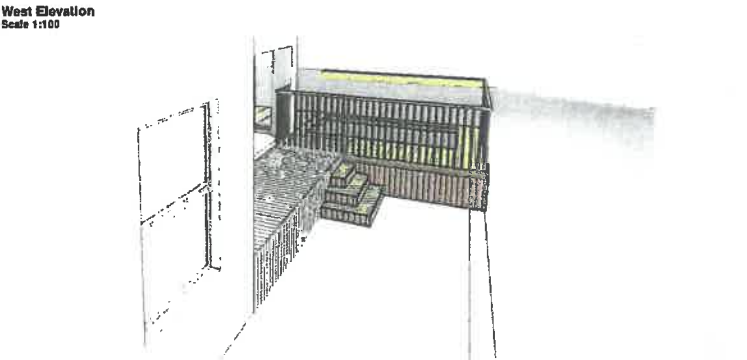
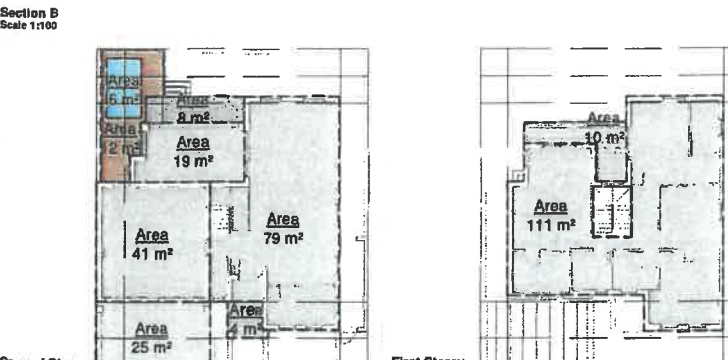
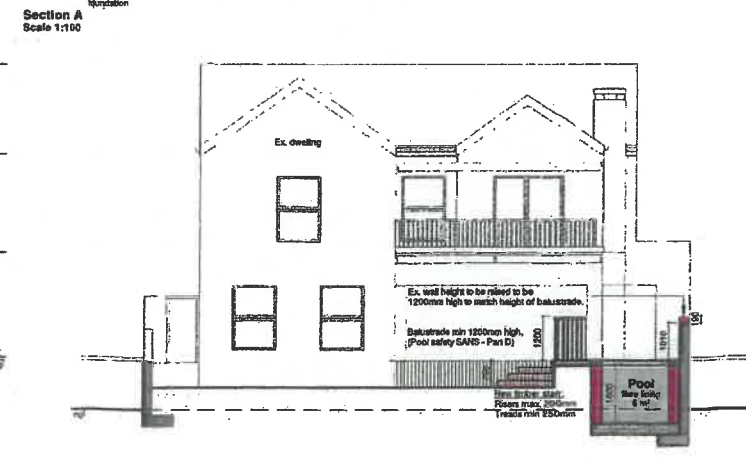
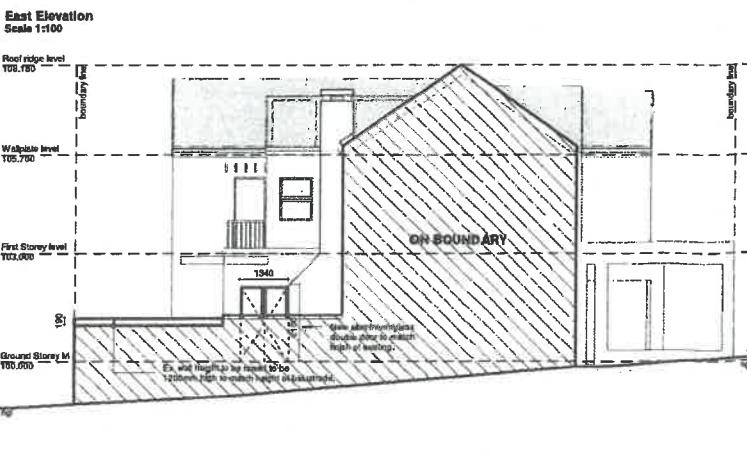
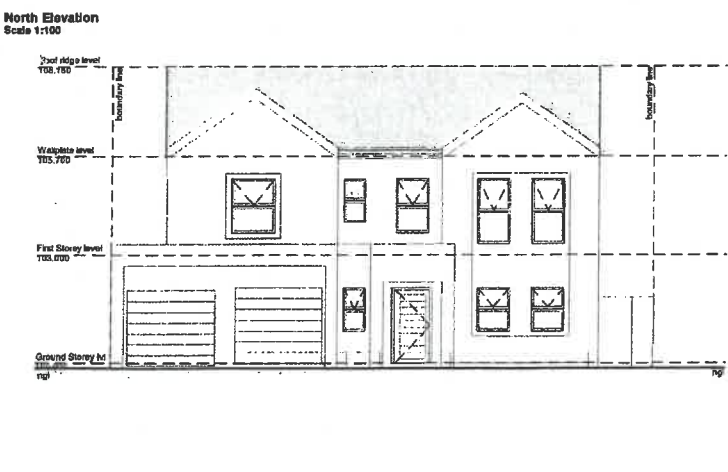
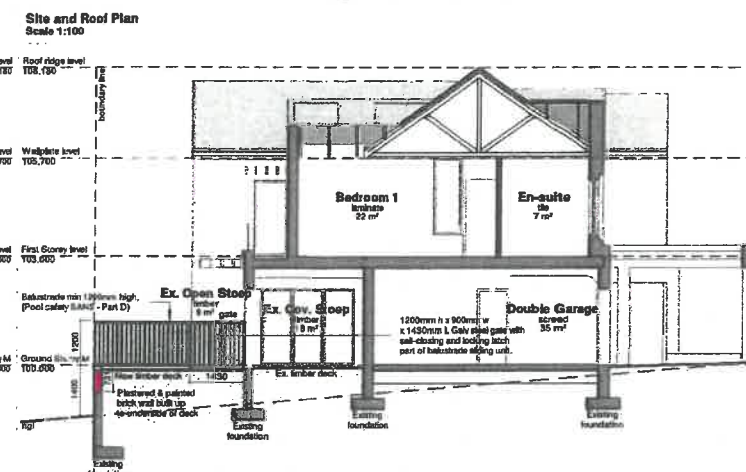
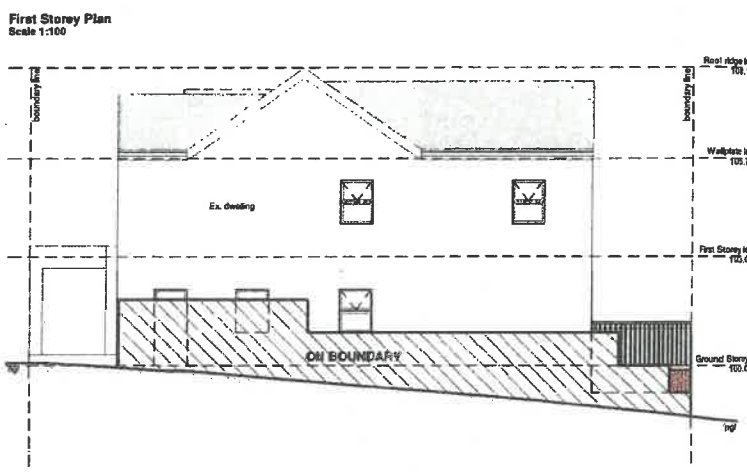
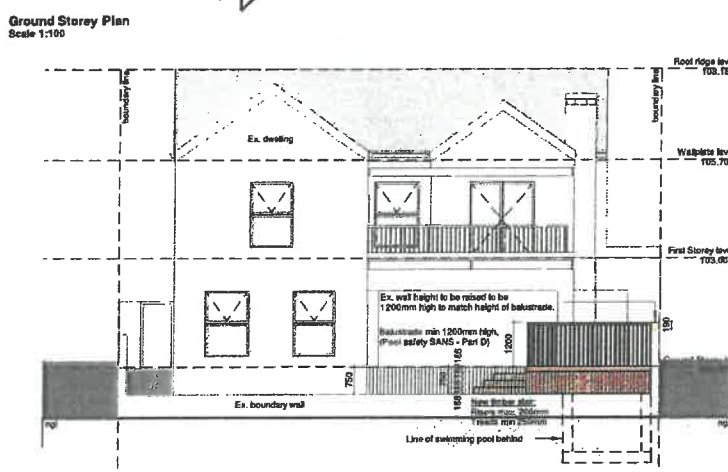
**SITE OPERATIONS:** (SANS 10400 - Part F)  
**PREPARATION OF SITE:**  
Before any foundation is laid the area to be covered by any building shall be properly cleared of vegetable matter, tree stumps, timber and other refuse material, debris or refuse and any material contaminated with local matter. Any building shall be situated on a site whose water will drain naturally towards a drainage ditch or to a storm drain or to a disposal site in some suitable approved manner. Sundry facilities must be provided by the owner and be available for use for any personnel employed for the work to be done.

**FLOOR CONSTRUCTION:** (SANS 10400 - Part J)  
18 x 20mm Beta Slocostacks screw fixed onto 50 x 152mm (Grade 5) timber support rafters at 600mm max. spacing. Rafters fixed to external walls with galv. m8l steel truss hangers.

**WALL CONSTRUCTION:** (SANS 10400 - Part K)  
External: 200mm Plastered and painted support wall. Refer to Section A & B. Plastered and painted brick boundary wall to match existing. Painted masonry m8l steel siding, painted white (to match existing) fixed to top of robust plastered and painted brick boundary wall.

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All drawings and dimensions must be completed by the owner and contractor before any materials are ordered or building work commences. Any differences must be brought to the attention of the Architect in writing immediately. Upon submitting this document to the Local Authority for approval, the owner of this property confirms that all the information on this document is to the owner's first and last and to their satisfaction. The owner understands that any change hereafter for whatever reason, must be resubmitted to the Local Authority for approval. The owner of this property acknowledges that they will be responsible and liable for any deviation from this document without the Architect's knowledge.



**WEIGEVONDEN**  
ESTATE

Estate Manager  
Gawle Marx

Estate Review Architect  
Francois Malan

Date of approval: February 2022

Municipal Approval Stamp

Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

Architect Signature \_\_\_\_\_ Date 2022-01-20

**H4 - Dwelling House**

**REDATLANTIC**  
ARCHITECTURE

House De Lange

Property description  
Erif. 15464 Weigevonden Estate, Stellenbosch

Project description  
New open timber decks and swimming pool

Sheet description  
Plans, Sections, Elevations, Areas and Construction notes

Project number 21-195	Sheet no 001	Rev 0	Project status Project Status
Project Date 2021-12-08	Designed by Owner	Scale as indicated	
Issue Date 2022/01/20 08:10:06 AM	Drawn by P.W.	Page Size A1	