



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14715

Our File Reference Number: Erf 15749, Stellenbosch

Your Reference Number:

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 PERMANENT DEPARTURE: ERF 15749, 2 RIVIERBOSCH STREET, 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 15749, Stellenbosch in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 in order to permit the dwelling house to exceed the permissible 500m<sup>2</sup> to allow two garages with an attic area above and to encroach the building platform on the property.

**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 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.
  - 2.2.2 The development must be undertaken generally in accordance with the site plan as referenced (drawing 1-100 – 2-100, 2-200, 3-100 and 4-100 revision 4, dated May 2021) and attached as Annexure B.

2.2.3 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.

2.2.4 Building plans must be generally in accordance with the site plan / floor layout plan as referenced (drawing 1-100 – 2-100, 2-200, 3-100 and 4-100 revision 4, dated May 2021) and attached as Annexure B.

2.3 The reasons for the above decision are as follows:

2.3.1 The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape.

2.3.2 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.

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)

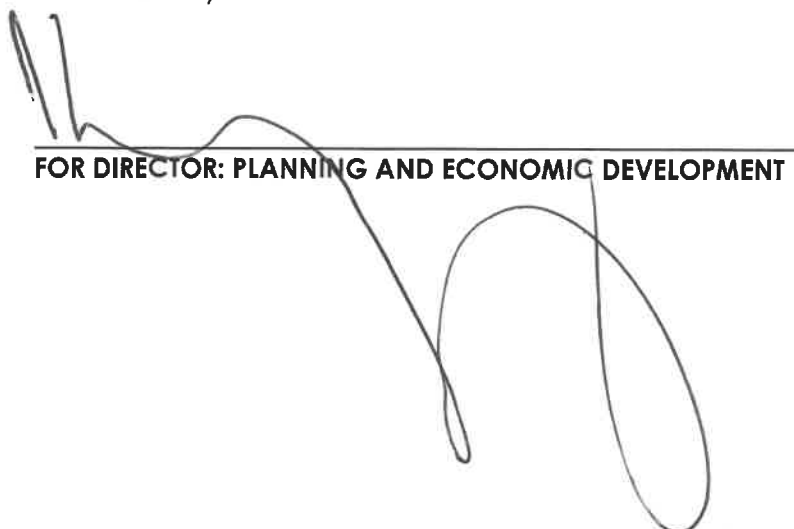
6. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference 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

17/1/2023  
DATE



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## **ANNEXURE B**

SITE PLAN / FLOOR LAYOUT LAN





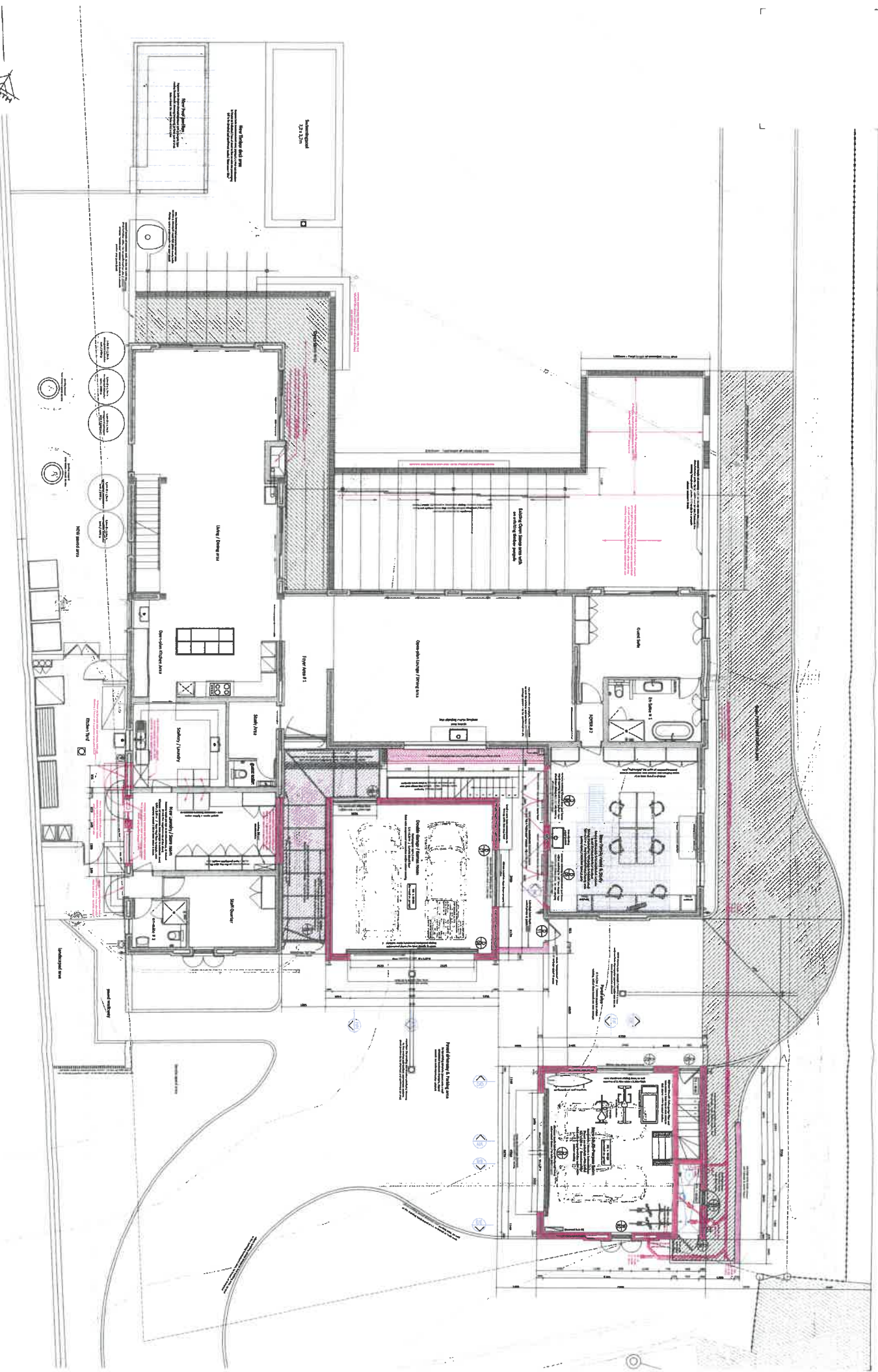
# GROUND STOREY

DATE: 15/08/2018

PROJECT: [Redacted]  
CLIENT: [Redacted]  
DRAWN BY: [Redacted]  
CHECKED BY: [Redacted]

SCALE: 1:100  
DATE: 15/08/2018

REVISIONS:  
NO. DESCRIPTION  
1. Initial Design  
2. Client Approval  
3. Final Design

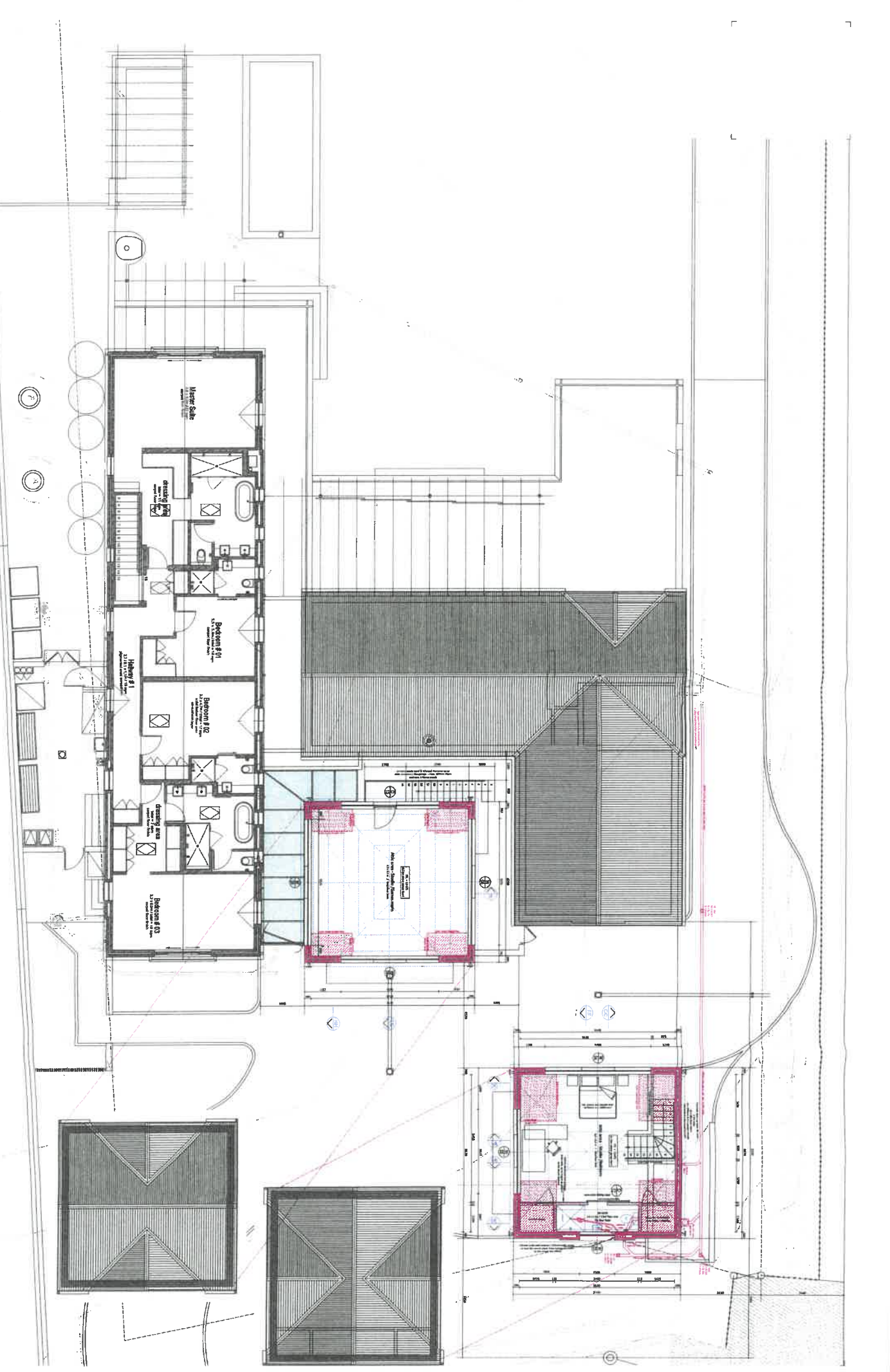


**ATTIC LEVEL**

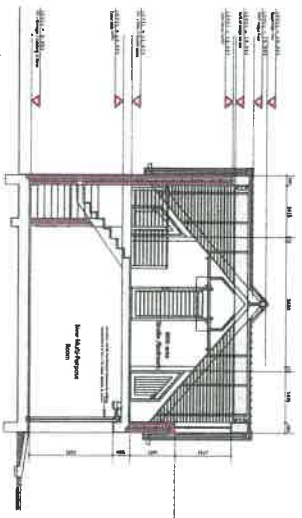
Architect: [Redacted]  
 Date: [Redacted]  
 Scale: 1/8" = 1'-0"

**EXHIBIT A - ROOM SCHEDULE**

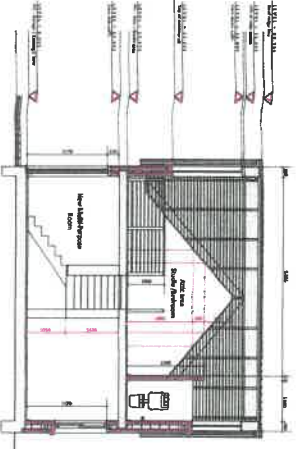
Room No.	Room Name	Area (sq. ft.)
101	Master Suite	1,200
102	Bedroom #01	1,100
103	Bedroom #02	1,100
104	Bedroom #03	1,100
105	Hallway #1	200
106	Dressing Room	150
107	Bathroom	100
108	Staircase	100
109	Storage	100
110	Entry	100
111	Living Area	1,500
112	Dining Area	1,000
113	Kitchen	1,000
114	Breakfast Room	500
115	Garage	2,000
116	Front Porch	500
117	Rear Porch	500
118	Deck	500
119	Pool	1,000
120	Spa	500
121	Hot Tub	500
122	Screened Enclosure	1,000
123	Pool House	1,000
124	Storage	100
125	Laundry	100
126	Mechanical	100
127	Electrical	100
128	Plumbing	100
129	Roof	100
130	Foundation	100
131	Site	100
132	Other	100
133	Unlabeled	100
134	Unlabeled	100
135	Unlabeled	100
136	Unlabeled	100
137	Unlabeled	100
138	Unlabeled	100
139	Unlabeled	100
140	Unlabeled	100
141	Unlabeled	100
142	Unlabeled	100
143	Unlabeled	100
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145	Unlabeled	100
146	Unlabeled	100
147	Unlabeled	100
148	Unlabeled	100
149	Unlabeled	100
150	Unlabeled	100



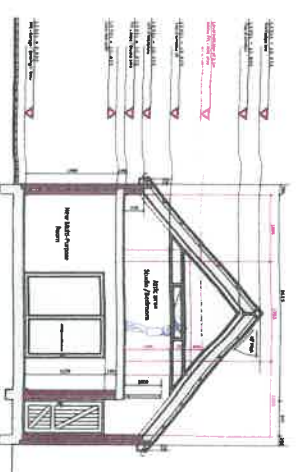




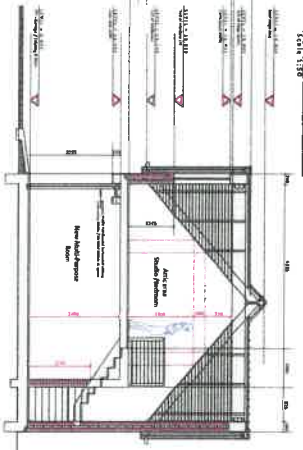
Detail Section : B - B



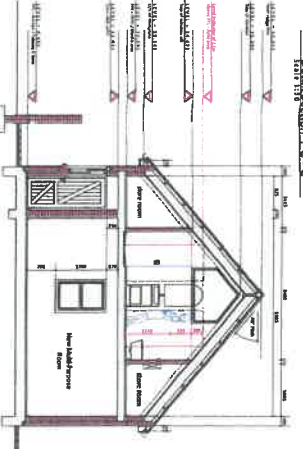
Detail Section : C - C



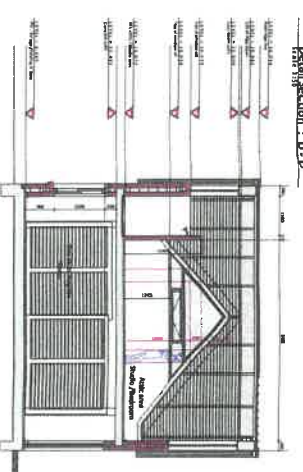
Detail Section : D - D



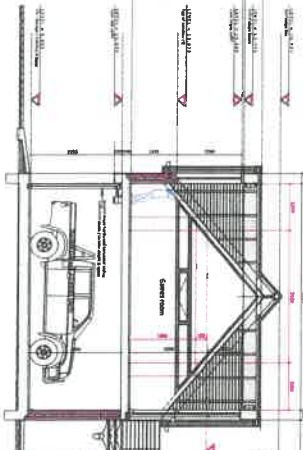
Detail Section : A - A



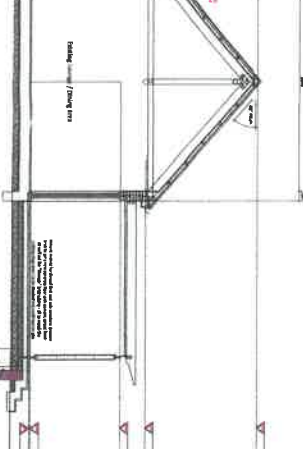
Detail Section : E - E



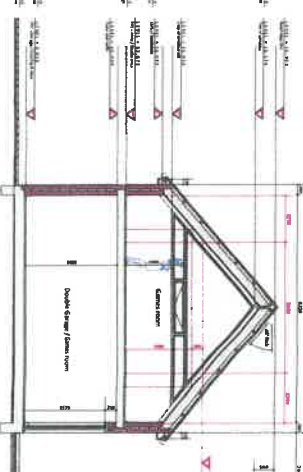
Detail Section : F - F



Detail Section : G - G

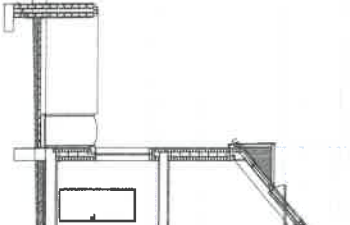


Detail Section : H - H



Detail Section : I - I

- 1. 100mm EPS Insulation
- 2. 150mm Concrete Slab
- 3. 100mm EPS Insulation
- 4. 100mm EPS Insulation
- 5. 100mm EPS Insulation
- 6. 100mm EPS Insulation
- 7. 100mm EPS Insulation
- 8. 100mm EPS Insulation
- 9. 100mm EPS Insulation
- 10. 100mm EPS Insulation



Detail Section : J - J

**SECTIONS**

Architectural drawings showing various sections of a house, including roof details, staircase, and living areas. Includes a table with project information.

NO.	DESCRIPTION	DATE
1	...	...
2	...	...
3	...	...
4	...	...
5	...	...
6	...	...
7	...	...
8	...	...
9	...	...
10	...	...

Architectural drawings showing various sections of a house, including roof details, staircase, and living areas. Includes a table with project information.

Architectural drawings showing various sections of a house, including roof details, staircase, and living areas. Includes a table with project information.

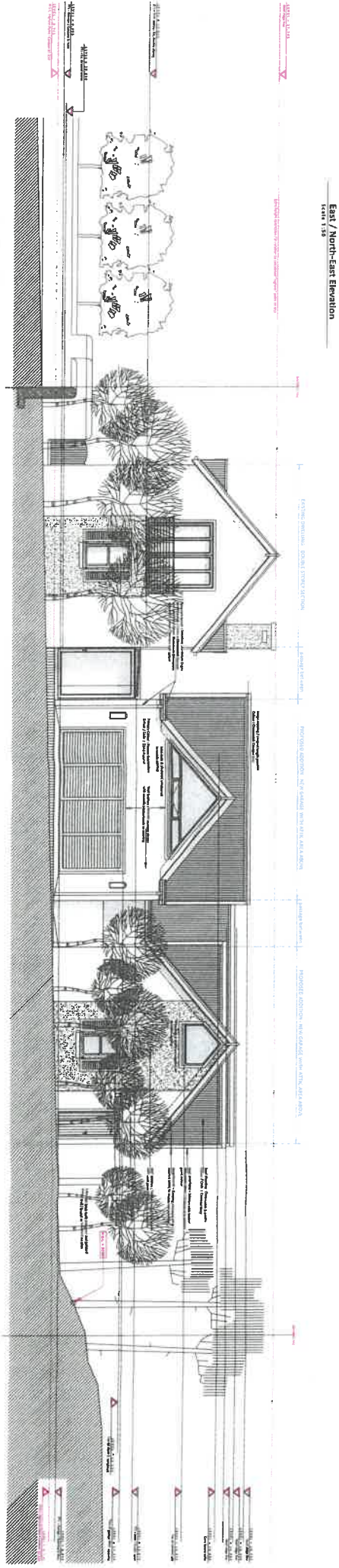
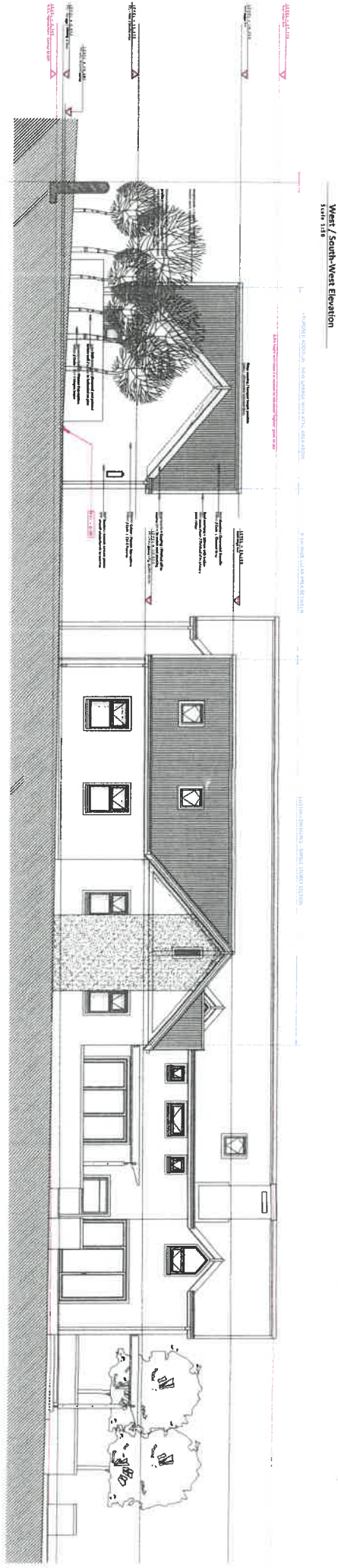
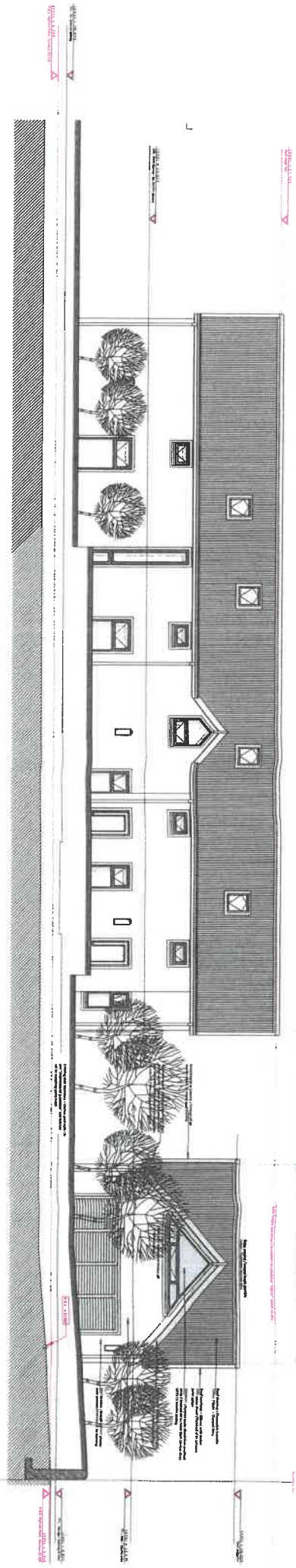
Architectural drawings showing various sections of a house, including roof details, staircase, and living areas. Includes a table with project information.

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ELEVATIONS		EXISTING AND PROPOSED		EXISTENTIAL DRAWINGS	
1	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36
37	38	39	40	41	42
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