



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14517

Our File Reference Number: Erf 21, Raithby

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 IN TERMS OF SECTION 15(2)(b) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW, 2015 ON ERF 21, RAITHBY

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 common building line (adjacent to Erf 20) from 5m to 2,5m and 0m in order to accommodate the proposed extensions to the existing house (lounge, dining area and entertainment area) and to accommodate the proposed servant's quarters on the boundary between Erf 20, Raithby and Erf 21, Raithby;

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 application for departure under consideration, as indicated on the site plan referenced 2021/03-M2, dated 10 March 2021, attached as **Annexure B** 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.

2.2.2 Building plans and the development must be undertaken and be generally in accordance with the site plan as referenced 2021/03-M2, dated 10 March 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.

2.3 The reasons for the above decision are as follows:

2.3.1 The proposed additions are in line with the land use on the property and therefore will not have an impact on the character of the area.

2.3.2 The proposed additions are logical extension of the existing dwelling.

2.3.3 The property is narrow, and the existing dwelling is already constructed over the building lines, therefore any additions will be encroaching the common building lines.

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.

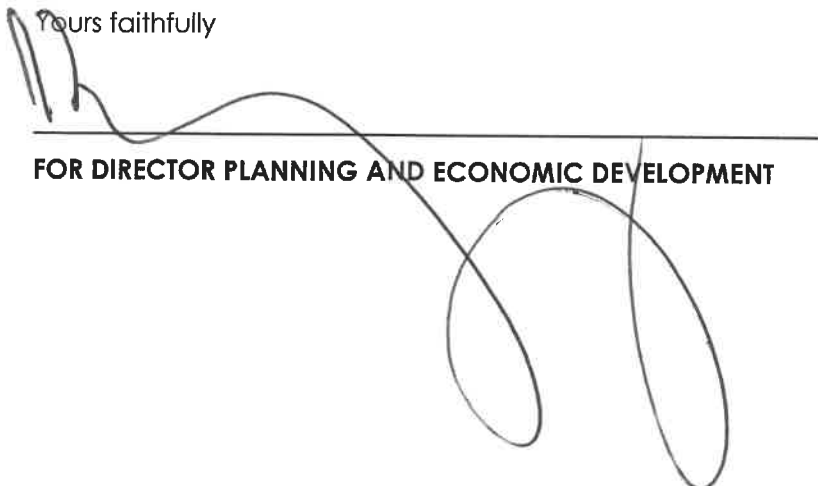
(c) The grounds of the appeal which may include the following grounds:

- (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
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

2/12/2022
DATE:

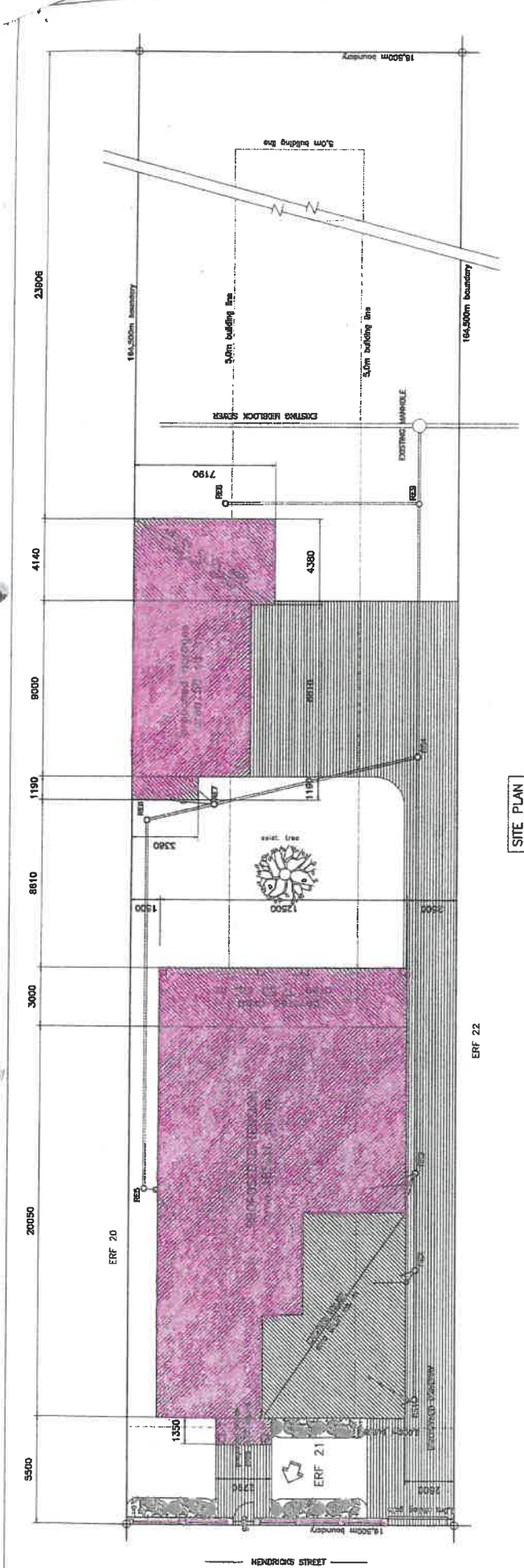


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ANNEXURE B

(APPLICATION FOR A PERMANENT DEPARTURE ON ERF 21, RAITHBY)

SITE PLAN

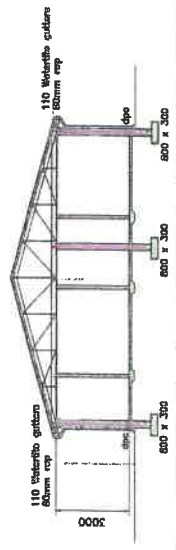


SITE PLAN

ROOF—main house
 Corrugated roofboards on 76 x 51 purlins approximately
 1200mm c/c on profile, trusses (FRMS) at approx.
 750mm spacing. Roof slope 15 degrees.
 Roof overhang 250mm

R-value calculation
 R-value = 3.35
 Roof sheathing and ceiling R-value = 0.35
 Total R-value required = 2.7

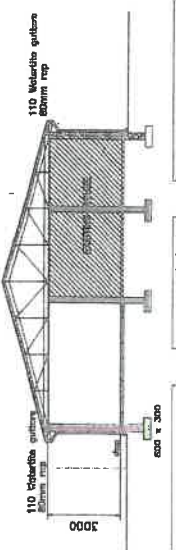
COVERED AREA OF PLOT	2774 sq. m.
EXISTING HOUSE AREA	85.3 sq. m.
EXTENSION TO EXIST. HOUSE	1863.3 sq. m.
AREA COVERED STOP	372 sq. m.
AREA COVERED ROOF	20 sq. m.
AREA COVERED DRIVE	310 sq. m.
TOTAL ROOF AREA	3500.3 sq. m.
COVERED	14.5%



SECTION 'q - q'

FLOOR
 100mm concrete on 200mm stone chips
 on 100mm compacted fill

NOTE
 300mm above the concrete slab take at
 100mm above the stone chips
 100mm above the compacted ground level



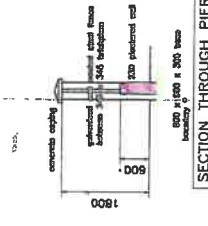
SECTION 'd - d'

FLOOR
 100mm concrete on 200mm stone chips
 on 100mm compacted fill

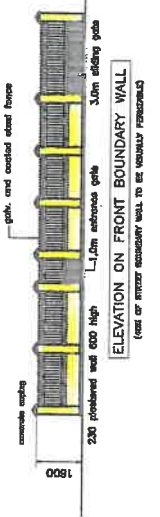
NOTE
 300mm above the concrete slab take at
 100mm above the stone chips
 100mm above the compacted ground level



PIER FOOTING DETAIL



SECTION THROUGH PIER



ELEVATION ON FRONT BOUNDARY WALL
 (not of interior necessary wall to be visually transparent)

DRAWN	OWNER	Ro.
MITCHELL'S DRAUGHTING SOLUTIONS SHOP T1348	8 MARW STREET	WILLS TOWER
TEL: 900-8770	CELL: 079 649 7310	HEBRARDS STREET
CLUB: R. ORTHELL	ERY 21	
RETRY		
SITE PLAN & SECTIONS		
Date:	Scale:	Proj No:
10/05/21	1:100	2021/00-142