

STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15315 (TP294/2023)

Our File Reference Number: Erf 3241, Franschhoek

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 808 8682

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

PER E-MAIL

Sir / Madam

APPLICATION FOR REMOVAL OF CONDITIONS ON ERF 3241, FRANSCHHOEK

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
3. That the application for the **Removal of Condition 7 and 10** of the approval granted for erf 3241, Franschhoek in terms of Section 15(2)(h) of the Stellenbosch Municipal Land Use Planning Bylaw 2023.

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 the said Bylaw:
 - 4.1 The approval only applies to the proposed application 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 That the remaining conditions of approval as noted in the approval letter dated 4 February 2005 are still applicable to the subject property.

4.4 The development be undertaken in accordance with the approved building plan No: 07/948 and attached as **Annexure C**.

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

5.1 Building plans for the building on the subject property were approved in 2007 and the proposal under consideration will not result in any additional land use rights being granted.

5.2 The proposal will not require any changes to be made to the existing building as approved in 2007 to facilitate the approval granted.

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.

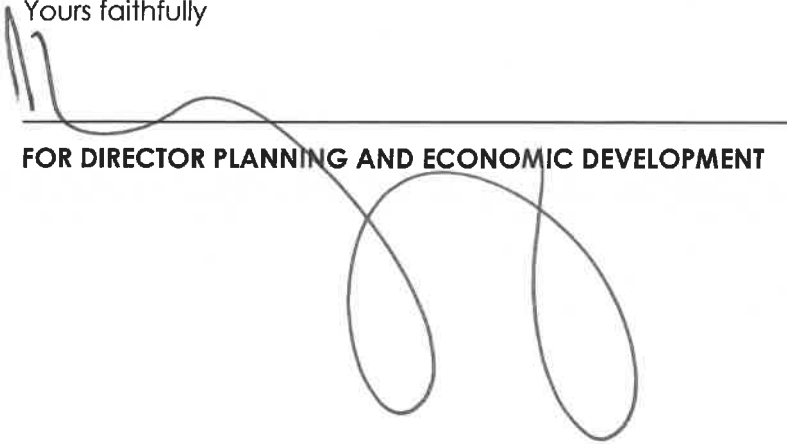
7.4 Whether the appeal is lodged against the whole decision or a part of the decision.

- 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, is written over a horizontal line. The signature is positioned to the left of the typed name.

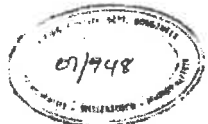
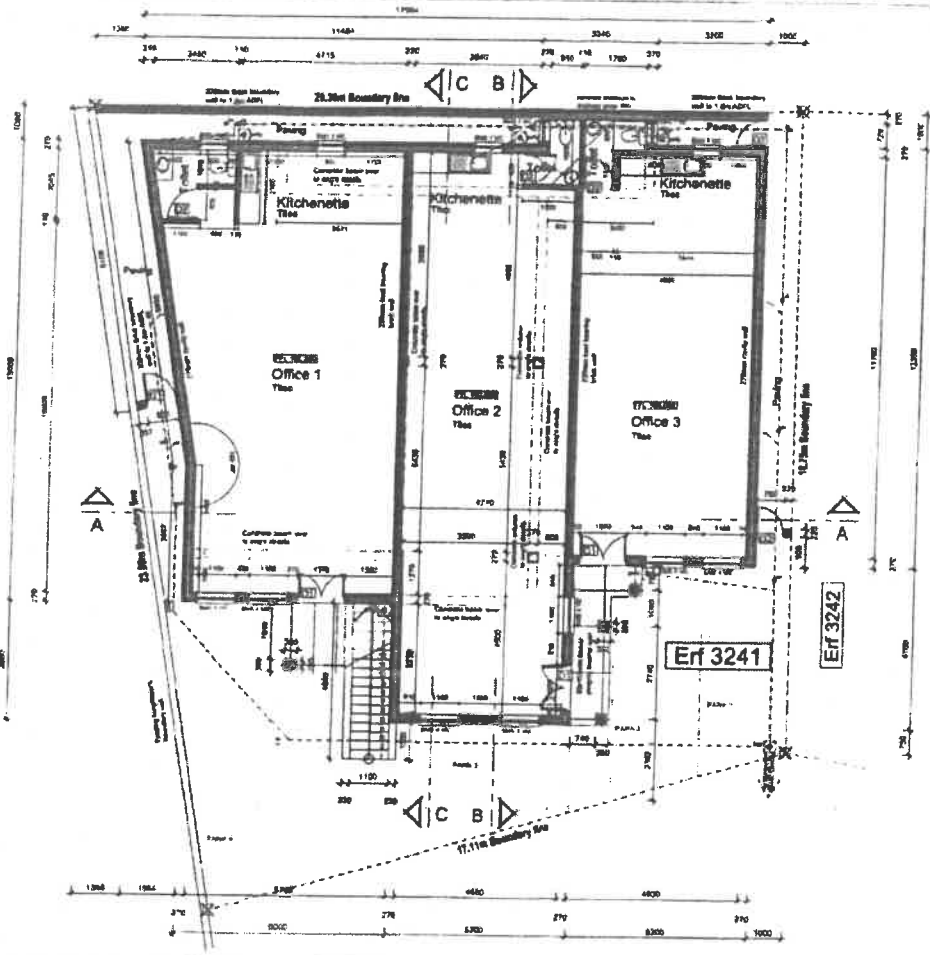
FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

22/2/2024
DATE:

New Development on ERF 3241, Franschoek - Council Submission -08/2007

Ground Floor Plan

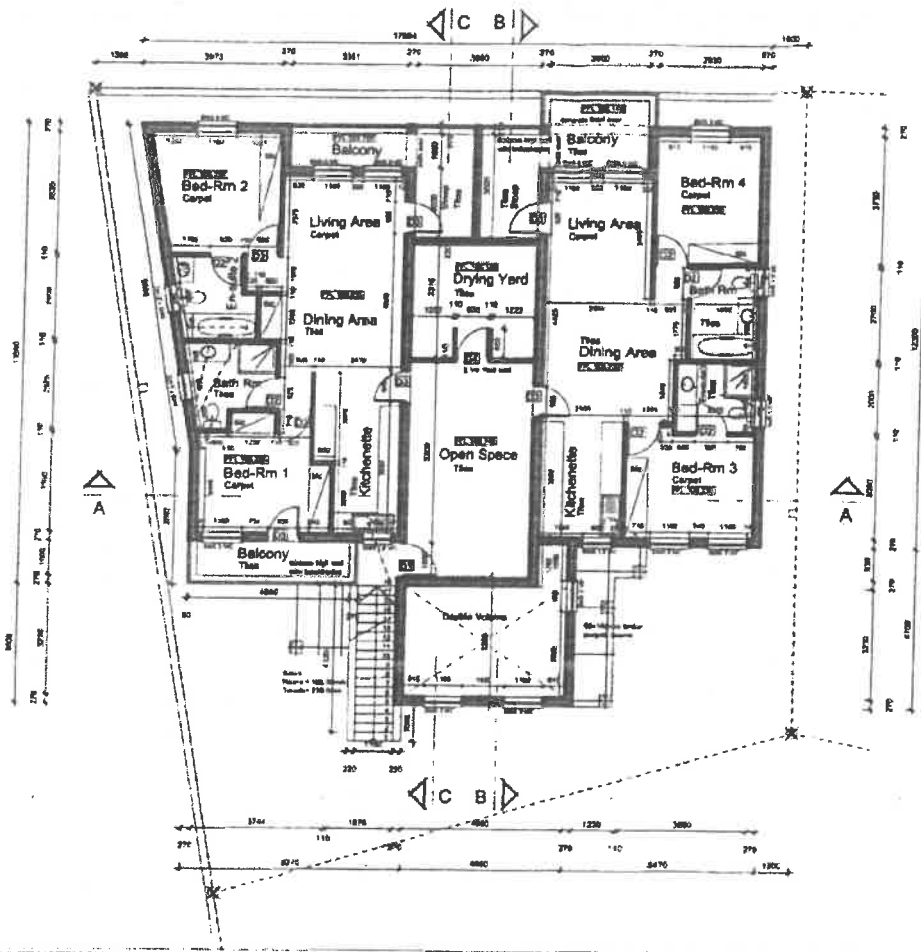
Scale 1:100



New Development on ERF 3241, Franschoek - Council Submission - 08/2007

First Floor Plan

Scale 1:100

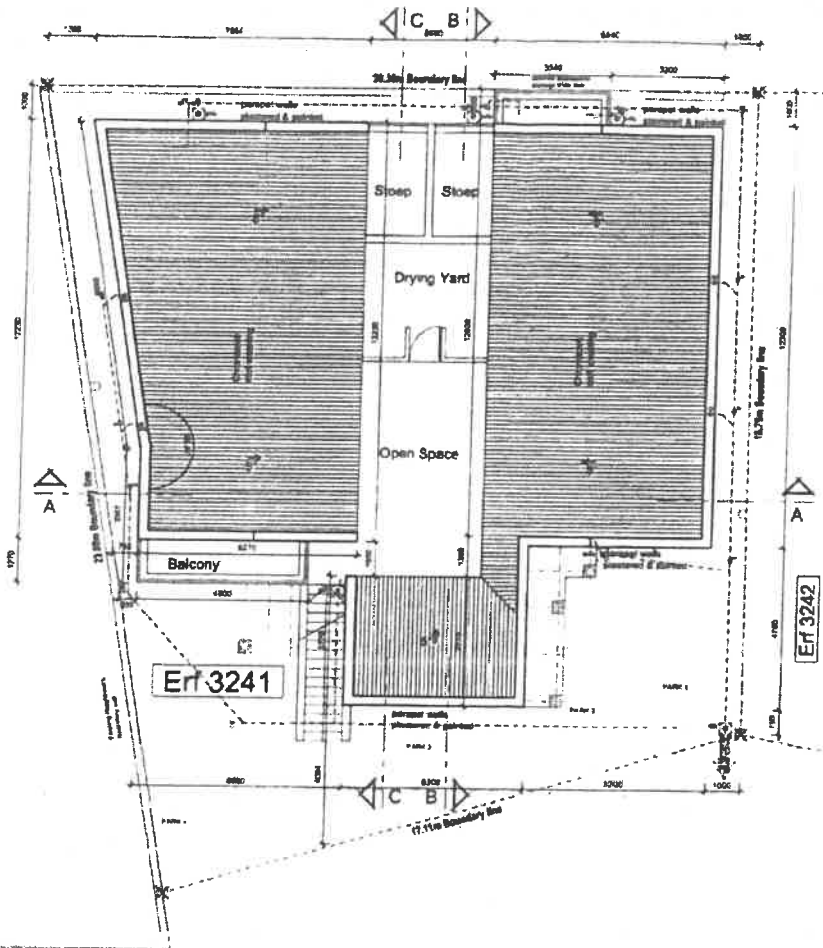


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New Development on ERF 3241, Franschhoek- Council Submission -08/2007

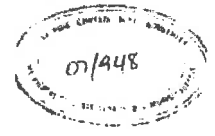
S.M. & R. ROOP F.I.C.E.

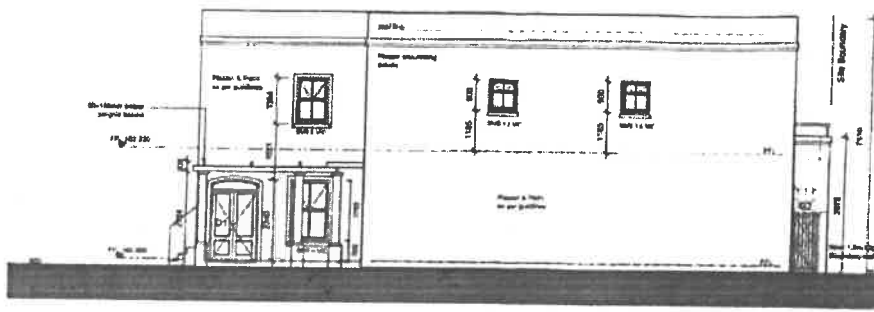
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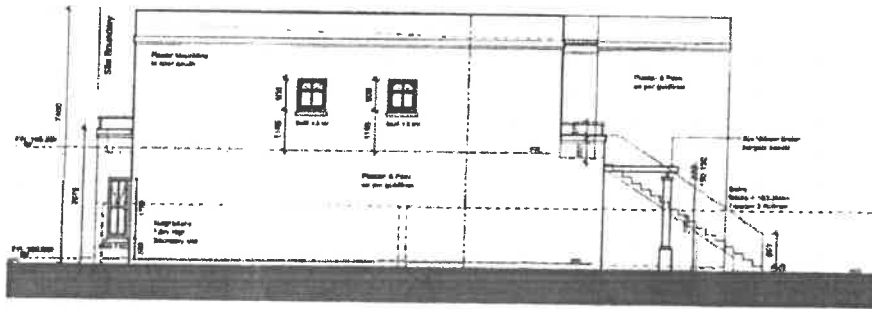
AREAS

Ground Floor area	= 244.20m ²
First Floor area	= 155.60m ²
Total Floor area	= 400.70m²
Balconies	= 66.80m ²
Total Construction area	= 467.50m²
Site	= 303.70m ²
Total Coverage	= 244.20m²
% Coverage	= 82.00%

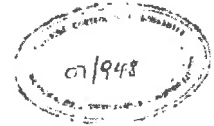


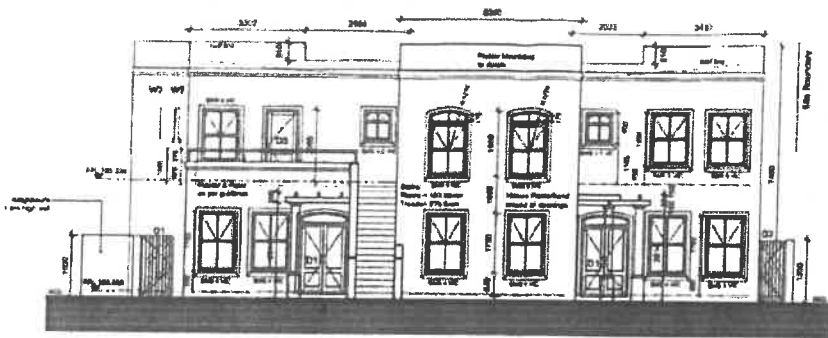


Front Elevation Scale 1:100

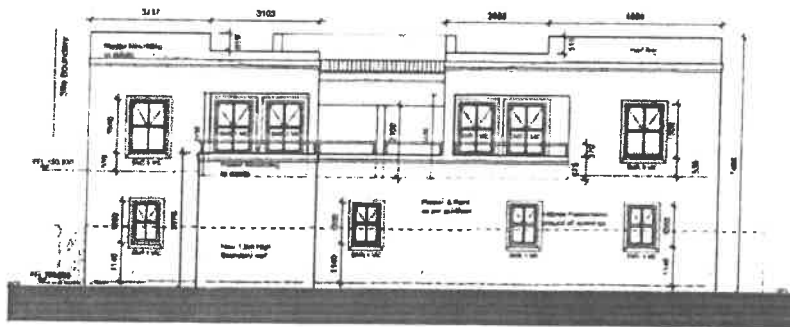


West Elevation Scale 1:100

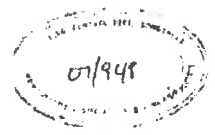




South Elevation Scale 1:100



North Elevation Scale 1:100

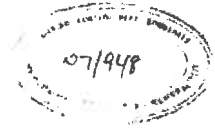
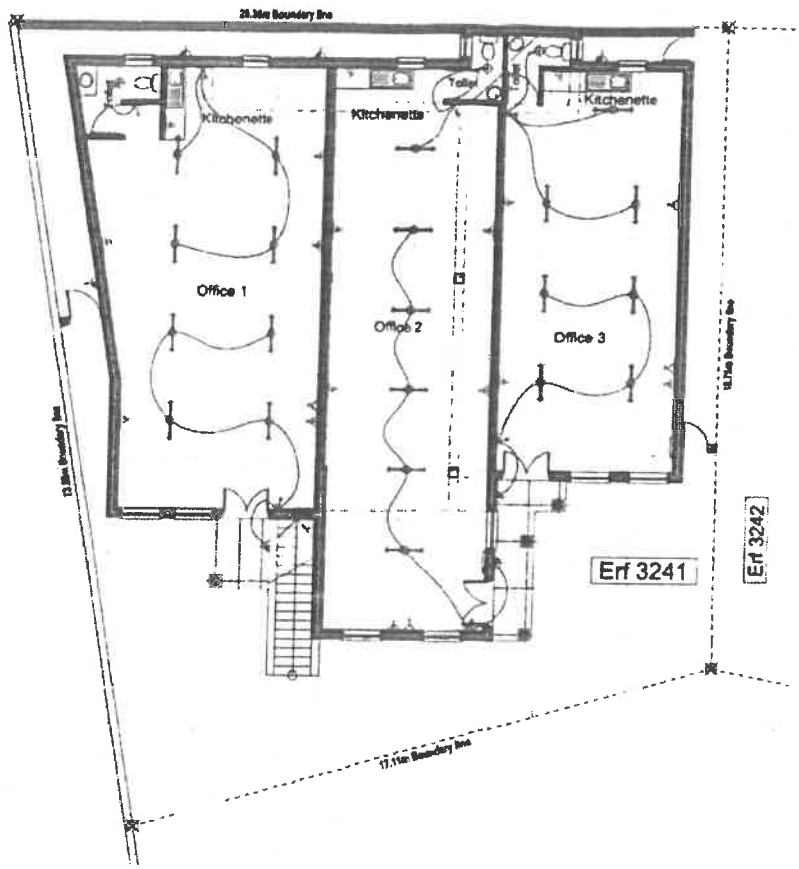


New Development on Erf 3241, Franschhoek- Council Submission -08/2007

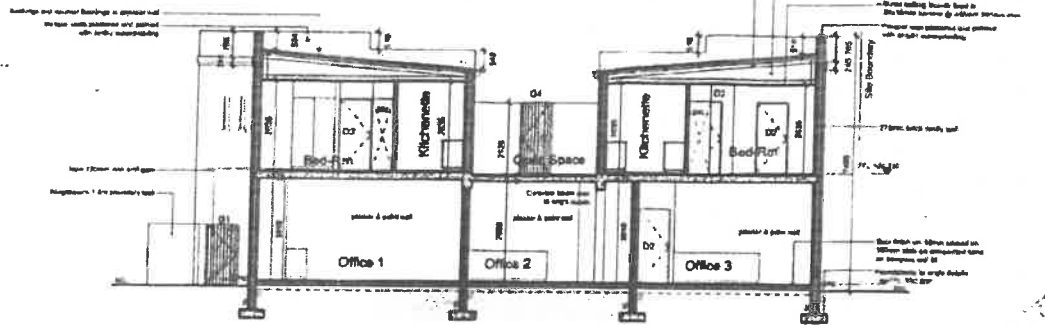
Approved Floor Plan

Electrical layout

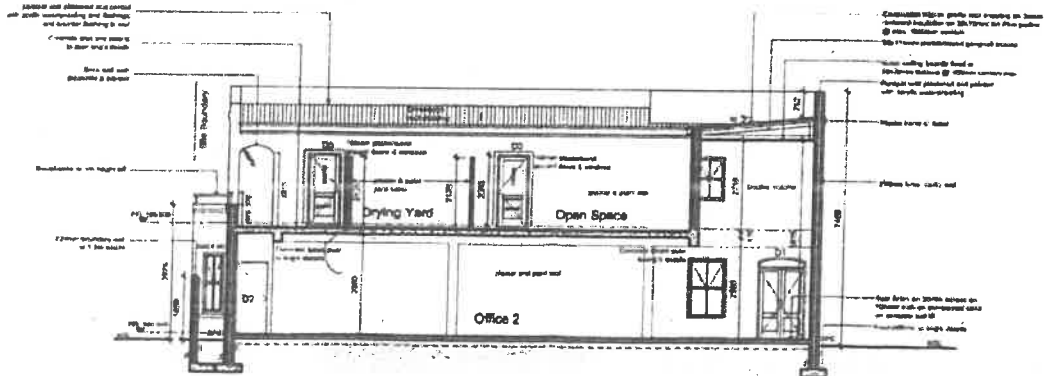
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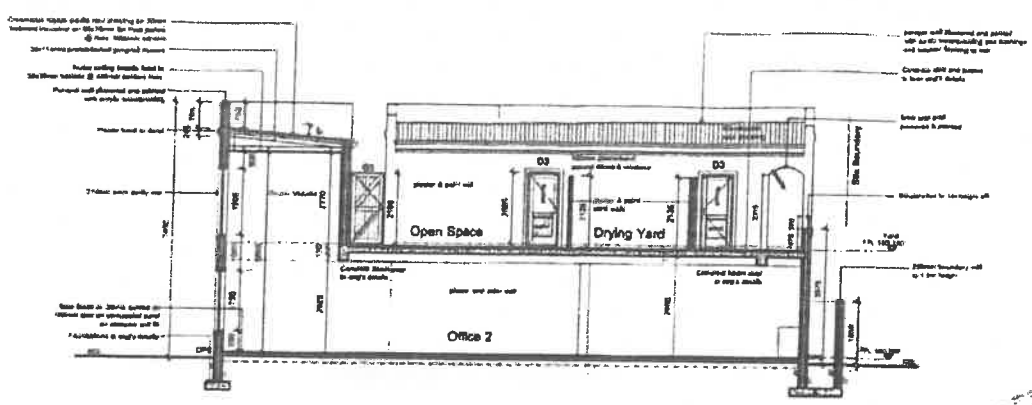


LEGEND	
[Symbol]	EXPOSED LIGHT
[Symbol]	SWITCHES
[Symbol]	1.5m x 1.5m DIRECTLY EXPOSED LIGHT
[Symbol]	WALL LIGHT
[Symbol]	WATER TIGHT WALL LIGHT
[Symbol]	DOUBLE TRANSFORMER PLUG @ 1500VA APP.
[Symbol]	DOUBLE TRANSFORMER PLUG @ 2500VA APP.
[Symbol]	15A SOCKET
[Symbol]	TELEPHONE POINT
[Symbol]	INTERCOM POINT
[Symbol]	TV POINT
[Symbol]	OUTLET FOR BOARD
[Symbol]	SWITCH @ 1500VA APP.



07/948





Section C-C Scale 1:100

07/948

- NOTES:**
- ROOF:** 5° slope
 - Kiplok profile chromadek roof sheathing on 75x50mm timber purlins @max 1000mm c/c on 114x38mm precast concrete gable @max 1400mm c/c fixed to wall on 114x38mm wall plate, wall plate fixed to wall by metal straps built to wall into brick courses.
 - Flat concrete roofs as per eng's design details, waterproofing by specialist.
 - RAINWATER GOODS:**
 - Open Aluminium gutters fixed to 225x20mm FC fascia boards.
 - 70mm Ø Round PVC downpipes to all gutters.
 - Fullbore with 110mm Ø to flat concrete roof.
 - CEILING:**
 - Nucleo ceilingboards fixed to 35x38mm timber battens @max 450mm c/c fixed to bottom of tie-beams.
 - Plaster wash & paint to underside of concrete floor.
 - BALUSTRADES:**
 - Steel/ Timber balustrades to all height changes more than 300mm, to later details.
 - OPENINGS:**
 - Concrete lintols over all openings, concrete beam over openings to later eng's details.
- DOORS & WINDOWS:**
 - All doors and windows as to the "SWARTLAND" catalogue.
 - GLAZING:**
 - All glazing to 6mm glass, glazing to openings at height less than 300mm and greater in area of 1sqm, be safety glazed.
 - WALLS:**
 - 110mm and 220mm clay brick walls to all internal walls, 280mm cavity walls to all external walls.
 - FLOORS:**
 - Floor finishes on 30mm screed on 100mm concrete slab on water proofing membrane on compact sand on compact soil fill.
 - Concrete slab, downbeams to first floor plan to eng's details.
 - FOUNDATIONS:**
 - Foundations to eng's design details.
 - No foundation to encroach the boundary line.
 - Plaster wash & paint to underside of concrete floor.
 - BALUSTRADES:**
 - Steel/ Timber balustrades to all height changes more than 300mm, to later details.