



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14095

Our File Reference Number: Erf 3578, Klappmuts

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 DEPARTURE IN TERMS OF SECTION 15(2)(b) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW, 2015: ERF 3578, KLAPMUTS**

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 3578, Klappmuts in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 in order to relax the common building line (adjacent to Erf 3579) from 1m to 0m in order to accommodate the proposed new entertainment room as indicated on drawing no. 001 dated 14 April 2022 and drawn by Fisher Architects.

**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:
  - (i) 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.
  - (ii) The development must be undertaken generally in accordance with the site plan as referenced drawing no. 001 dated 14 April 2022 and drawn by Fisher Architects and attached as **Annexure C**.

- (iii) 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.
- (iv) The approval granted shall not be contradictory to any other legislation which has a bearing on the use of the property and that should any other legislation be applicable and be more restrictive than the most restrictive conditions will apply.
- (v) Building plans must be generally in accordance with the site plan / floor layout plan as referenced drawing no. 001 dated 14 April 2022 and drawn by Fisher Architects and attached as Annexure C.

2.3 The reasons for the above decision are as follows:

- (a) The proposed development is in line with the existing land use of the property and will thus have not impact negatively on the character of the 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.

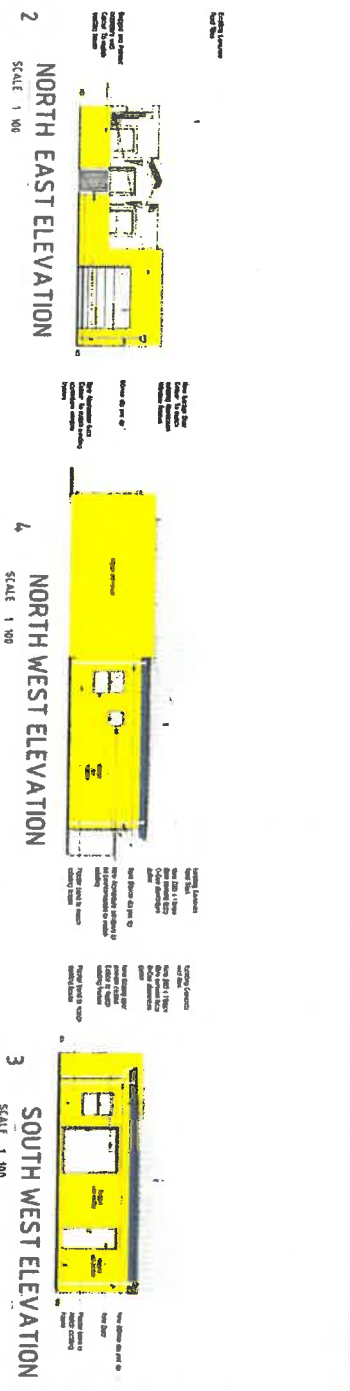
5. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address: [landuse.appeals@stellenbosch.gov.za](mailto:landuse.appeals@stellenbosch.gov.za)
6. Any party (applicant or other) who lodges an appeal must pay the applicable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

  
DATE:



**CONSTRUCTION NOTES:**

No building work, foundation or footings to intersect over boundary line.

The site to be treated in accordance with SANS 10400 PART 0, 2014-1977.

All building work to be carried out in accordance with local authorities building by laws and regulations.

**FOUNDATION:**

The top of foundation to be nominally 650mm below natural ground level. Backfill to foundations.

All foundations, foundation walls and structural concrete work to be cast in situ with 40MPa concrete in accordance with SANS 10400 PART 0, 2014-1977.

All cast concrete to cure engineer's detail and specifications. All in accordance with SANS 10400 PART 0.

**WALLS:**

All walls to be built with cement brick, and to comply with SANS 227.

Wall ties - 250mm, 80mm x 6mm.

250mm cavity wall in bricks bond in 1:4 cement mortar. Inner walls to be finished on both 15mm thick cement plaster. Exterior walls to be finished.

Height of perimetrical walls to be as per Architectural specifications as per manufacturer's specs.

Hydrophobic 150mm above ground level.

Reveal between units up to roof sheeting.

**LIGHT AND VENTILATION:**

Min 10% of floor area to be light area of that 5% to be natural ventilation.

All accordance to SANS 10400 PART 0.

**DOORS AND WINDOWS:**

All doors and windows to comply with SANS 10400 regulations and specifications.

All external door and windows to have DPC all round as per SANS 10400 regulations.

Awning to be aluminium and all being and specifications to comply with SANS national building regulations 10400 PART 0, as well as AAASISA, requirements.

**WINDOW FRAMES:**

Standard aluminium window frames by specialist manufacturer to architect's detail design.

All glazing and framework to comply with SANS 10400 PART 0, as well as AAASISA requirements.

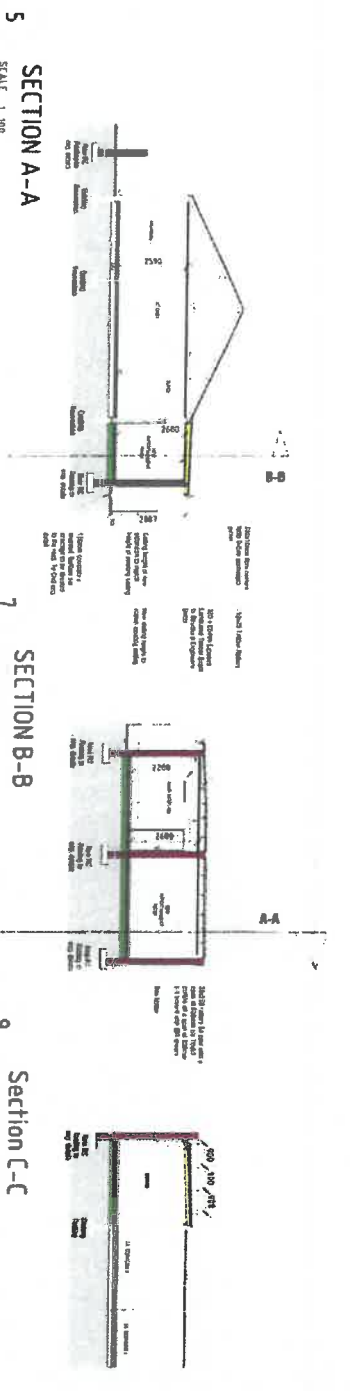
Timber frames profiles to be protected against damage when installing.

All dimensions and opening sizes to be checked on site. Working drawings to be approved by architect before manufacturing commences.

No windows must have opening section lower than 1m from finish floor level.

**STORMWATER DRAINAGE:**

All stormwater to be led to municipal stormwater connection. All pipe sizes, gradients and materials for the stormwater collection system as per SANS 10400 PART 0 design and specifications. All stormwater drainage work to be carried out in accordance with local authority's drainage by-laws & regulations.



**BLDG'S STRUCTURE UNITS LESS THAN 80 m² FERRESTRATION AREA 12.6%**

BLDG'S STRUCTURE UNITS LESS THAN 80 m² to be constructed in accordance with SANS 10400 PART 0, 2014-1977.

Structural Design: PART B

Structural Steel: PART C

Public Safety: PART D

Electromagnetic: PART E

Foundations: PART F

Roofs: PART G

Interior: PART H

Exterior: PART I

Lighting and Vent: PART J

Drainage: PART K

Fire Protection: PART L

Special Handling: PART M

Fire Protection: PART N

Fire Protection: PART O

Fire Protection: PART P

Fire Protection: PART Q

Fire Protection: PART R

Fire Protection: PART S

Fire Protection: PART T

Fire Protection: PART U

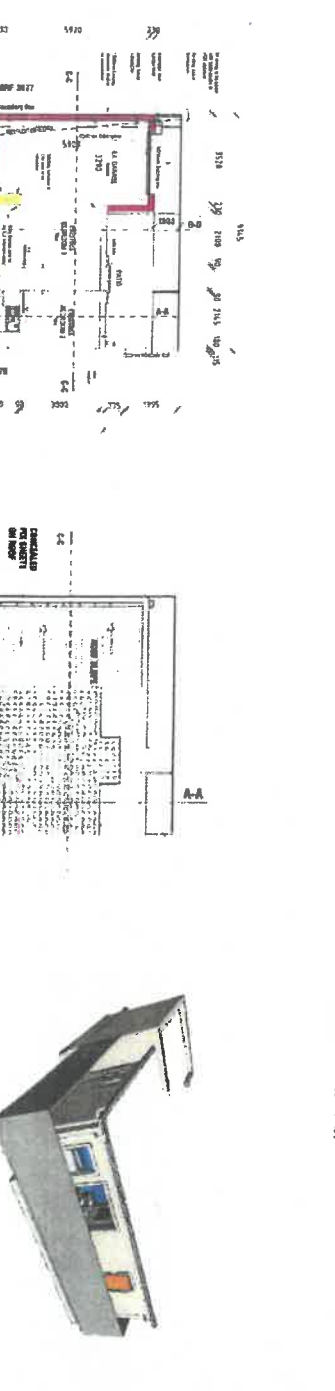
Fire Protection: PART V

Fire Protection: PART W

Fire Protection: PART X

Fire Protection: PART Y

Fire Protection: PART Z



**GROUND FLOOR PLAN**  
SCALE: 1/80

**ROOF PLAN**  
SCALE: 1/80

**3D View 3**  
SCALE: 1/80

**GENERAL NOTES:**

Level of site: 117 m

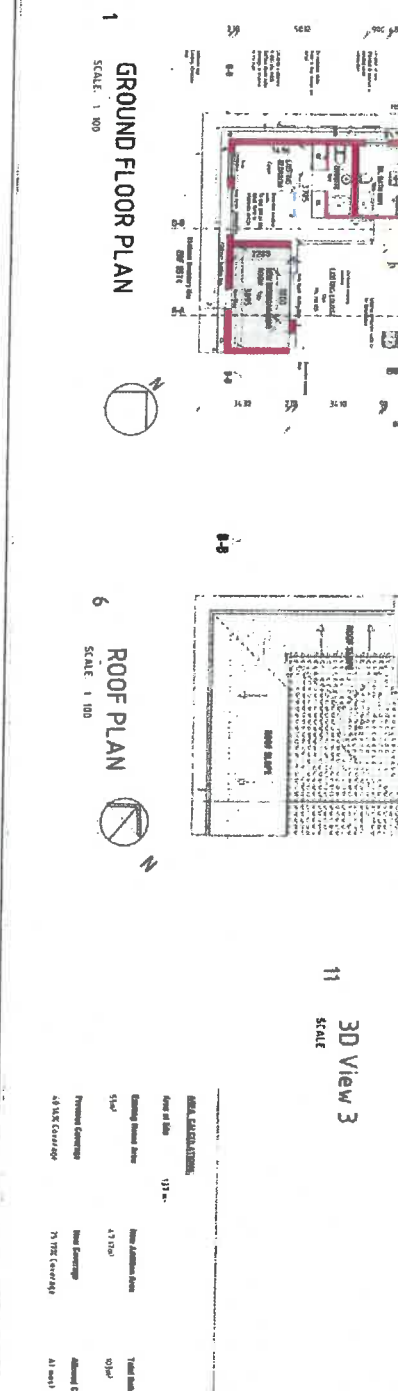
Existing Building: 15m

Proposed Building: 17.7m

Site Coverage: 7% (Site Coverage)

Final Building Area: 50m²

Additional Footprint: As per 10400



**MUNICIPAL SUBMISSION**

DATE: 15/08/2022

BY: [Redacted]

FOR: [Redacted]

PROJECT NO: 10153

SCALE: 1/80

DATE: 15/08/2022

BY: [Redacted]

FOR: [Redacted]

PROJECT NO: 10153

Revision Number	Revision Description	Revision Date
1	Initial Design	15/08/2022
2	Final Design	15/08/2022

Notes: All dimensions are to be indicated by engineering standards. The architect is not responsible for any errors or omissions. The architect is not responsible for any errors or omissions. The architect is not responsible for any errors or omissions.