



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/13966

Our File Reference Number: Erf 3837, 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 PERMISSION REQUIRED IN TERMS OF A TITLE DEED CONDITION ON ERF 3837, STELLENBOSCH**

1. The above application refers.
  2. The duly authorised decision maker has decided on the above application as follows.
  3. That the **Administrator's consent** to relax the restrictive title deed condition(s) contained in Title Deed No T5922/2020, Clause B(6)(d) for permission to relax the building line from **3,15m** to **0m** for purposes of a garage on Erf 3837, Stellenbosch, Stellenbosch **BE GRANTED**.
- 3.1. The approval is subject to the **following conditions** imposed in terms of Section 66 of said Bylaw:
- 3.1.1. The approval only applies to the 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.
  - 3.1.2. 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.

Page 1 of 4

- 3.1.3. A balustrade fence, with the same height as the structure (fence) reflected on building plan nr BP20/2168, be constructed on top of the garage, 3,15m away from the common building line to allow for privacy onto the adjacent property (Erf 3838).
- 3.1.4. No runoff (rainwater) from the encroaching garage may be channelled or dispensed onto the abutting property.
- 3.1.5. Appropriate caution shall be taken during construction to prevent damage to existing service cables and electrical equipment in the vicinity. Should damage occur, the applicant will be liable for the cost involved repairing damages.
- 3.1.6. All electrical work to comply with SANS142 and Municipal electrical by-laws.
- 3.1.7. Building plans be submitted and approved by the Municipality.

**3.2 The reasons for the above decision are as follows:**

- 3.2.1 The proposal is in keeping with the current land use of the subject property.
- 3.2.2 The proposal is for a non-habitable (garage) structure only and will not have a detrimental impact on the adjacent property with regards to privacy.

4. 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.
5. 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:

- 5.1 The personal particulars of the Appellant, including:
  - a) First names and surname
  - b) ID number

c) Company of Legal person's name (if applicable)

d) Physical Address

e) Contact details, including a Cell number and E-Mail address

5.2 Reference to this correspondence and the relevant property details on which the appeal is submitted.

5.3 The grounds of the appeal which may include the following grounds:

a) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)

b) 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.

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

5.5 If the appeal is lodged against a part of the decision, a description of the part.

5.6 If the appeal is lodged against a condition of approval, a description of the condition.

5.7 The factual or legal findings that the appellant relies on.

5.8 The relief sought by the appellant.

5.9 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.

5.10 That the appeal includes the following declaration by the Appellant:

a) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct

b) 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.

6. 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)

7. 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.

8. 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](mailto:landuse.appeals@stellenbosch.gov.za)

9. 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.
10. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
11. 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

  
\_\_\_\_\_  
**FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT**

1/12/2023  
DATE:

**COPIES TO BE SENT TO:**

1. Marina Clift Attorney Inc.  
Email: [marina@clift.co.za](mailto:marina@clift.co.za)

ADJACENT ERF 3834

site boundary 28 870

2.5m common bdy building line

new 110mm sewer line to replace existing and to connect to existing sewer manhole

ADJACENT ERF 3838

site boundary 48 140

NEW 1500 STORMWATER PIPE IN PLACE OF EXISTING OPEN CHANNEL

Proposed New Garage

2.5m common bdy building line

new 110mm sewer line to connect to existing sewer

ERF 3837  
Uniepark  
Stellenbosch  
Site Area: 1289m<sup>2</sup>

4.0m street bdy building line

site boundary 46 030

ADJACENT ERF 3836

2.5m common bdy building line

NEW 1500 STORMWATER PIPE IN PLACE OF EXISTING OPEN CHANNEL

site boundary 26 760

TRANSVALIASTRAAT 15

Site Plan

1:250

Siteplan

www.argitek.co.za

REGISTERED ARCHITECTS  
PROVINCIAL REGISTER OF ARCHITECTS  
SACAP 1963

Proposed Garage on Erf 3837  
Stellenbosch for Belle Beau  
Botanicals Edms Bpk

2023

SK07

Plan Type: WH Plan 4.jlb

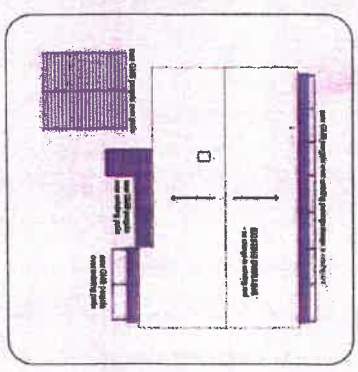
2022/01/27

Home Van der Horst

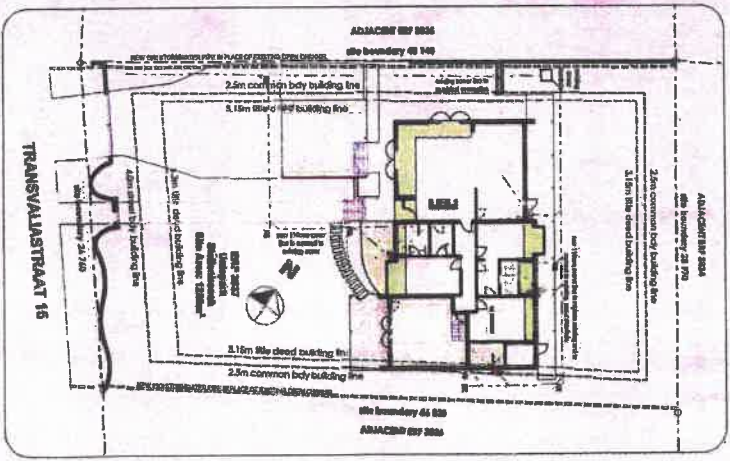


ALL AREAS SCHEDULE			
Renovation Status	Home Bury Home	Zone Name	Residential Area
Existing	Home Bury Home	Existing Garage	42.00
Existing	Garage	Existing Dwelling	199.00
Existing	Groundfloor	Existing Dwelling	199.00
		Existing Dwelling	199.00

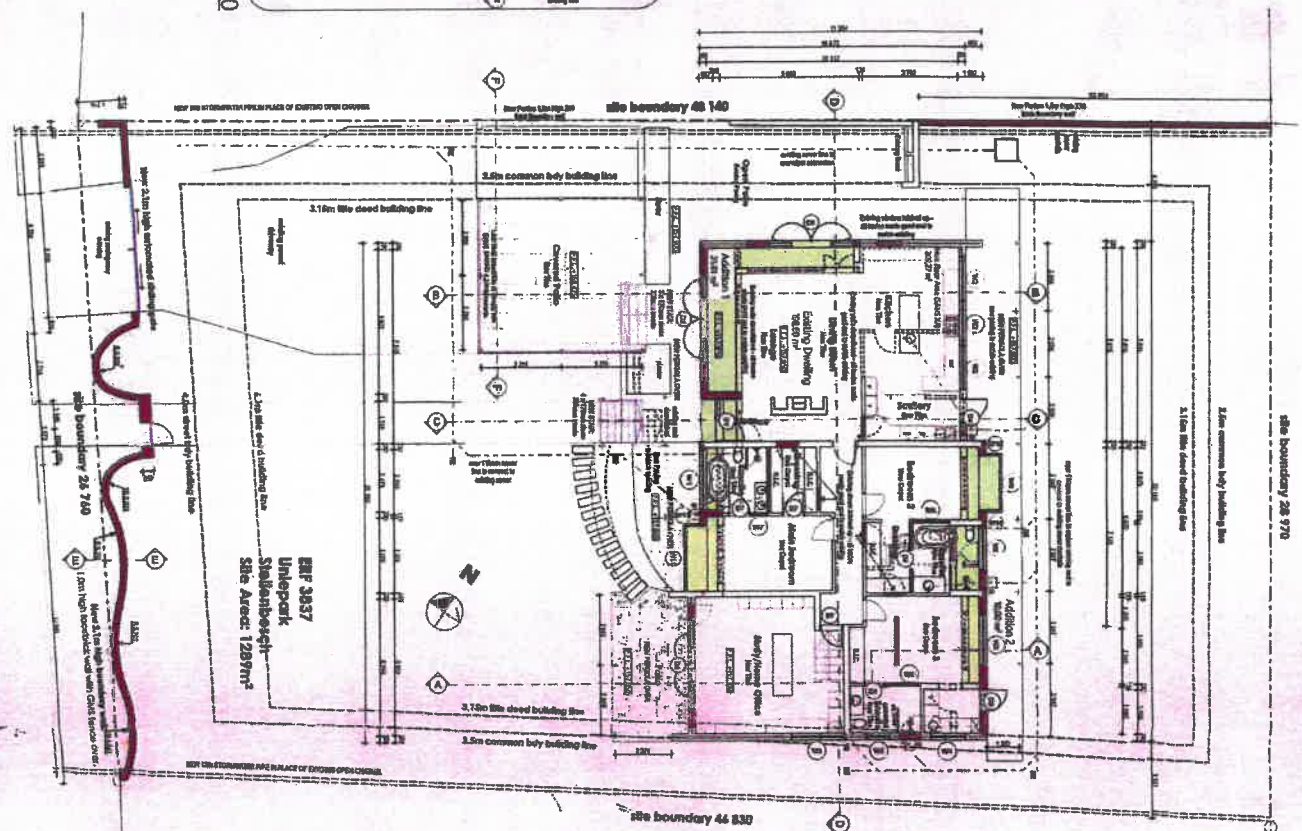
**NEW AREA SCHEDULE**  
**Renovation Status** Home Bury Home **Zone Name** Residential Area  
**ADDITOK:** \$1462  
**New Total Area:** 2722sqm



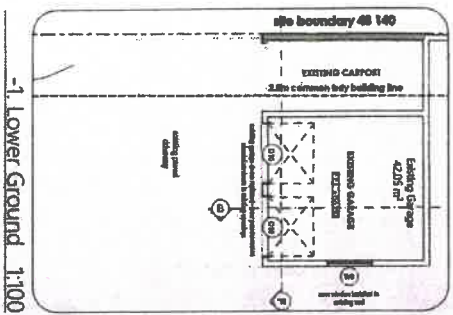
1. Roof Plan 1:200



0. Site Plan 1:200



0 Groundfloor 1:100



-1 Lower Ground 1:100

STELLERS  
**PLAN NUMBER**  
 BP/20/2168/2021

BUILDING REGULATIONS AND BUILDING STANDARDS ACT NO 103  
 12/8/2021  
 PLANNING & ENVIRONMENT DATE



**HOUSE Van Der Horst**  
 Proposed address to building House on lot 3037 - 15 Transvalle Road Inhupok Stellenbosch for Inke Nieuw Indoneische Edens Bpk  
 Floor Plans  
 2023 CS-01  
 Plan Type: VDI-Plan  
 COUNCIL: 112020 JPH



1. The drawings shall be used for the purpose stated and shall not be used for any other purpose without the written consent of the architect. The architect shall not be responsible for the construction of the building or for the safety of the building or for the safety of the occupants of the building.

STELLENSHOOP VERBODEN  
**PLAN NUMBER**  
*EP/2021/08/2021*

STELLENSHOOP VERBODEN  
 DATE: *12/5/2021*  
 ENVIRONMENT

www.digitel.co.za  
 Digitel Architects  
 154/155  
**House Van Der Horst**  
 Proposed Addition to Existing  
 2023 CS-02  
 Plan Type: VDI-Plan  
 COUNCIL: 112020



ENTRANCE PERSPECTIVE



HOME OFFICE PERSPECTIVE



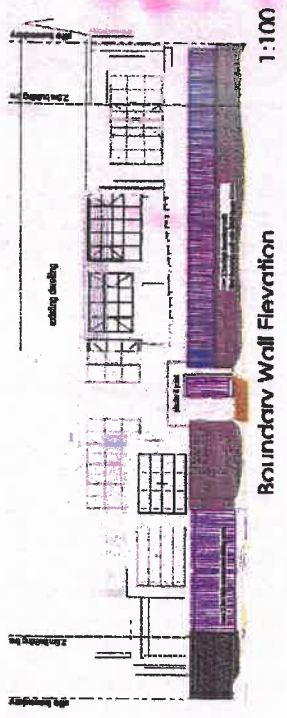
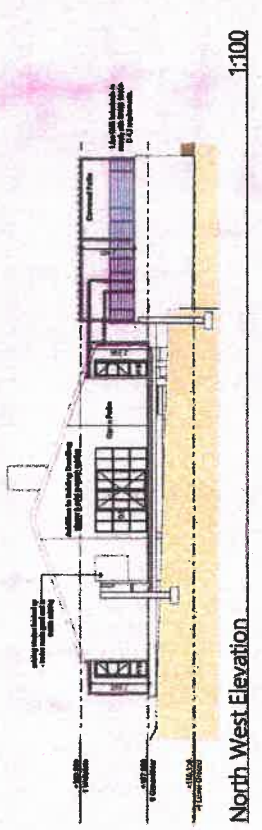
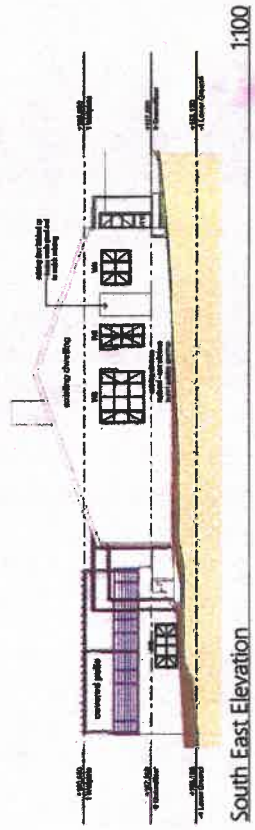
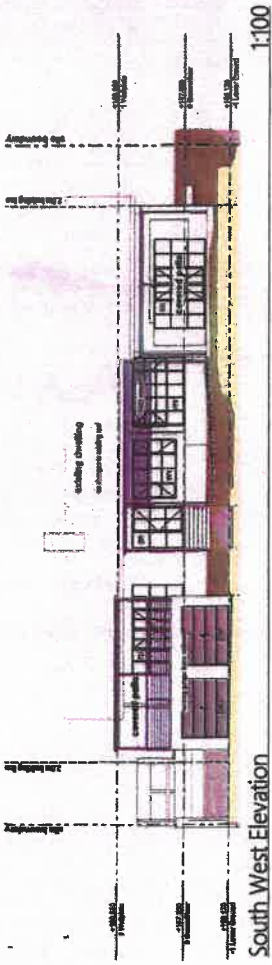
COVERED PATIO PERSPECTIVE



COVERED WALKWAY PERSPECTIVE



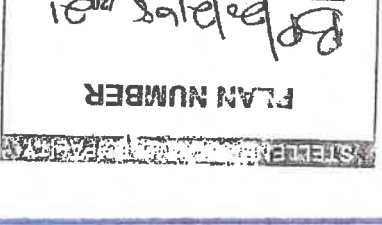
BOUNDARY WALL PERSPECTIVE





**CONSTRUCTION SPECIFICATIONS (continued)**

**GLASS GLAZING (PART 1)**  
 Any glazing shall be installed in accordance with the manufacturer's instructions. The glazing shall be installed in accordance with the manufacturer's instructions. The glazing shall be installed in accordance with the manufacturer's instructions.

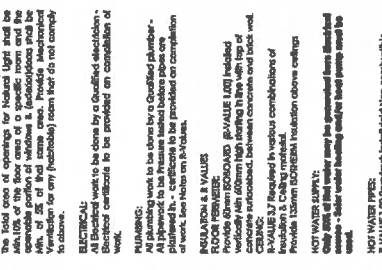


**CONSTRUCTION SPECIFICATIONS (continued)**

**ROOF CONSTRUCTION (PART 1)**  
 Roofing shall be installed in accordance with the manufacturer's instructions. The roofing shall be installed in accordance with the manufacturer's instructions. The roofing shall be installed in accordance with the manufacturer's instructions.

**CONSTRUCTION SPECIFICATIONS (continued)**

**FOUNDATION (PART 1)**  
 Foundations shall be constructed in accordance with the manufacturer's instructions. The foundations shall be constructed in accordance with the manufacturer's instructions. The foundations shall be constructed in accordance with the manufacturer's instructions.



**CONSTRUCTION SPECIFICATIONS (continued)**

**FLOOR CONSTRUCTION (PART 1)**  
 Floors shall be constructed in accordance with the manufacturer's instructions. The floors shall be constructed in accordance with the manufacturer's instructions. The floors shall be constructed in accordance with the manufacturer's instructions.

**CONSTRUCTION SPECIFICATIONS (continued)**

**WALL CONSTRUCTION (PART 1)**  
 Walls shall be constructed in accordance with the manufacturer's instructions. The walls shall be constructed in accordance with the manufacturer's instructions. The walls shall be constructed in accordance with the manufacturer's instructions.

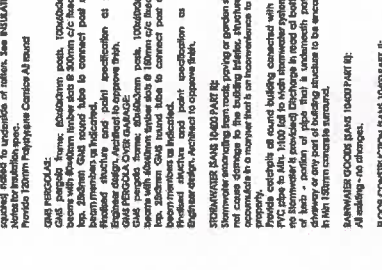


**CONSTRUCTION SPECIFICATIONS (continued)**

**CEILING CONSTRUCTION (PART 1)**  
 Ceilings shall be constructed in accordance with the manufacturer's instructions. The ceilings shall be constructed in accordance with the manufacturer's instructions. The ceilings shall be constructed in accordance with the manufacturer's instructions.

**CONSTRUCTION SPECIFICATIONS (continued)**

**MECHANICAL SYSTEMS (PART 1)**  
 Mechanical systems shall be installed in accordance with the manufacturer's instructions. The mechanical systems shall be installed in accordance with the manufacturer's instructions. The mechanical systems shall be installed in accordance with the manufacturer's instructions.

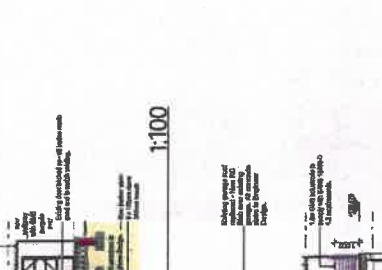


**CONSTRUCTION SPECIFICATIONS (continued)**

**ELECTRICAL SYSTEMS (PART 1)**  
 Electrical systems shall be installed in accordance with the manufacturer's instructions. The electrical systems shall be installed in accordance with the manufacturer's instructions. The electrical systems shall be installed in accordance with the manufacturer's instructions.

**CONSTRUCTION SPECIFICATIONS (continued)**

**PLUMBING SYSTEMS (PART 1)**  
 Plumbing systems shall be installed in accordance with the manufacturer's instructions. The plumbing systems shall be installed in accordance with the manufacturer's instructions. The plumbing systems shall be installed in accordance with the manufacturer's instructions.

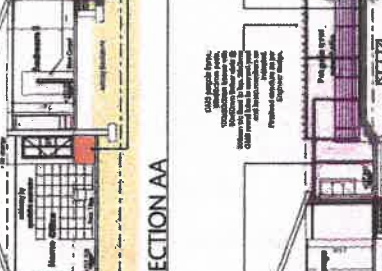


**CONSTRUCTION SPECIFICATIONS (continued)**

**FINISHES (PART 1)**  
 Finishes shall be installed in accordance with the manufacturer's instructions. The finishes shall be installed in accordance with the manufacturer's instructions. The finishes shall be installed in accordance with the manufacturer's instructions.

**CONSTRUCTION SPECIFICATIONS (continued)**

**PAINTS AND COATINGS (PART 1)**  
 Paints and coatings shall be applied in accordance with the manufacturer's instructions. The paints and coatings shall be applied in accordance with the manufacturer's instructions. The paints and coatings shall be applied in accordance with the manufacturer's instructions.

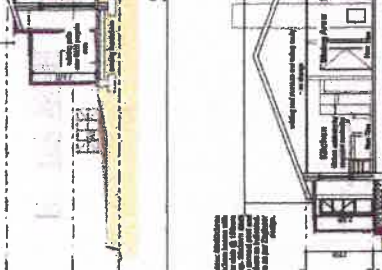


**CONSTRUCTION SPECIFICATIONS (continued)**

**GLAZING (PART 2)**  
 Glazing shall be installed in accordance with the manufacturer's instructions. The glazing shall be installed in accordance with the manufacturer's instructions. The glazing shall be installed in accordance with the manufacturer's instructions.

**CONSTRUCTION SPECIFICATIONS (continued)**

**MECHANICAL SYSTEMS (PART 2)**  
 Mechanical systems shall be installed in accordance with the manufacturer's instructions. The mechanical systems shall be installed in accordance with the manufacturer's instructions. The mechanical systems shall be installed in accordance with the manufacturer's instructions.



**CONSTRUCTION SPECIFICATIONS (continued)**

**ELECTRICAL SYSTEMS (PART 2)**  
 Electrical systems shall be installed in accordance with the manufacturer's instructions. The electrical systems shall be installed in accordance with the manufacturer's instructions. The electrical systems shall be installed in accordance with the manufacturer's instructions.

**CONSTRUCTION SPECIFICATIONS (continued)**

**PLUMBING SYSTEMS (PART 2)**  
 Plumbing systems shall be installed in accordance with the manufacturer's instructions. The plumbing systems shall be installed in accordance with the manufacturer's instructions. The plumbing systems shall be installed in accordance with the manufacturer's instructions.



**CONSTRUCTION SPECIFICATIONS (continued)**

**FINISHES (PART 2)**  
 Finishes shall be installed in accordance with the manufacturer's instructions. The finishes shall be installed in accordance with the manufacturer's instructions. The finishes shall be installed in accordance with the manufacturer's instructions.

**PLAN NUMBER**  
 STEELER

**DATE**  
 12/15/2021

**BUILDING REGULATIONS AND STANDARDS**

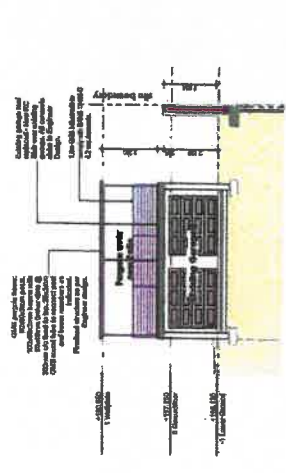
**HOUSE Van Der Horst**

**Proposed Address to Building**

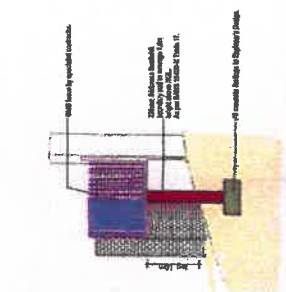
**2023 CS-03**

**Plan Type: V04-Plan**

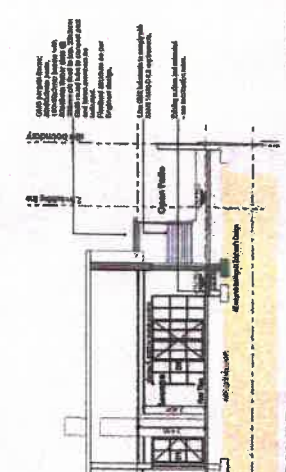
**CONTRACT: 120201**



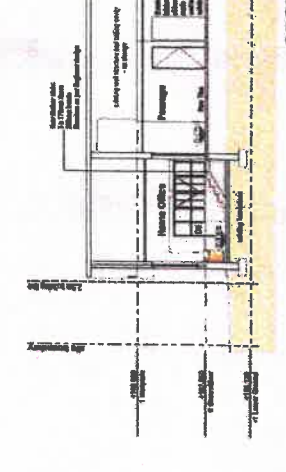
**SECTION FF 1:100**



**SECTION EE 1:50**



**SECTION DD 1:100**



**SECTION CC 1:100**



**SECTION BB 1:100**



**SECTION AA 1:100**

