



Application Number: LU/8603

Our File Reference Number: Erf 401, Klapmuts

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 808 8682

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

PER: REGISTERED MAIL



APPLICATION FOR A PERMANENT DEPARTURE ON ERF 401, 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 in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 for a permanent departure to relax the street building line adjoining De Jager Street from 3m to 1,59m and the common building line adjoining Erf 414 from 2m to 1m in order to accommodate extensions on Erf 401, Klapmuts;

BE APPROVED in terms of Section 60 of the said bylaw, subject to conditions in terms of Section 66 of the said Bylaw.

2.2 Conditions of Approval:

- 2.2.1 The approval only applies to the application under consideration, as indicated on the Plan, Section & Elevation plan referenced Drawing No. 1, dated 30/07/2018, attached as **Annexure A** 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 The development must be undertaken generally in accordance with the Plan, Section & Elevation plan referenced Drawing No. 1, dated 30/07/2018 and attached as **Annexure A**.

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 s Plan, Section & Elevation plan referenced Drawing No. 1, dated 30/07/2018 and attached as **Annexure A**.

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

The encroachment of the building line does not undermine the character of the area as a number of buildings found in the area encroaches the street and common building lines.

4. 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.

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:

(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.

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

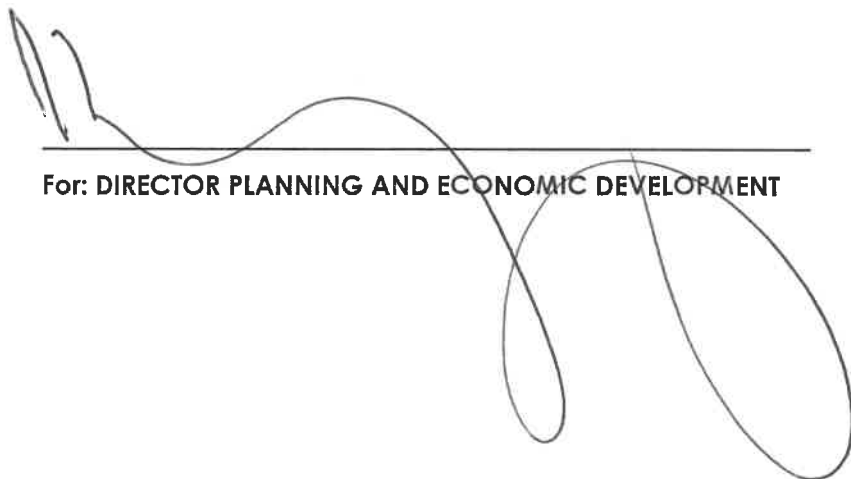
7. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference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

8. The approved tariff structure 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>).

9. 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.
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 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

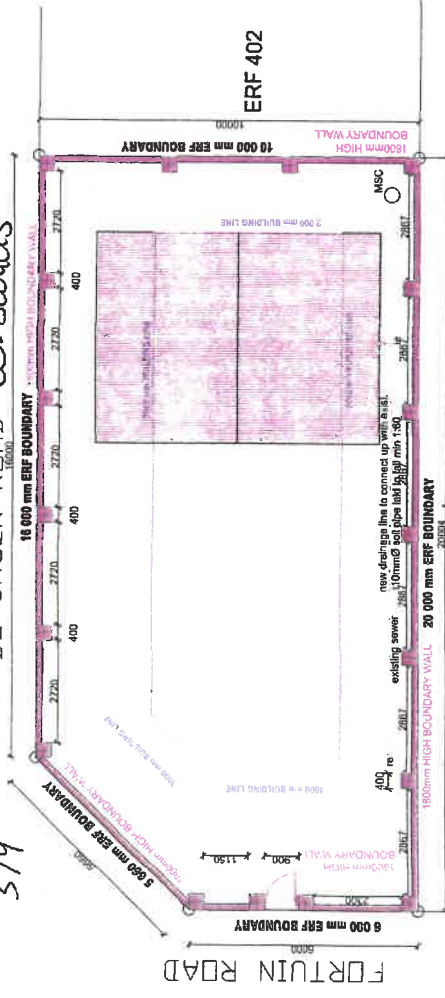


For: **DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT**

23/11/2022
DATE:

H. Tshes
379

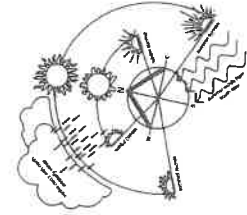
DE JAGER ROAD w. Services
381



SITE PLAN
SCALE 1:100

R. Kark
ERF 414

TOTAL EXTENSION = 41m²
TOTAL GLAZING = 3.48m²
15% OF 41m² = 6.15m²
PENETRATION IS LESS THAN 15% OF FLOOR AREA
THEREFOR NO RATIONAL DESIGN REQUIRED



roof sheets as per existing on 150 x 50 mm s.a. pine rafters on edge at max. 1200 mm centres built into blockwork and tied down with wire straps

these walls to be built to underside of roof sheets

allow for gypsum rhino boards with 75mm covered cornice and 50x8mm pine covered strips

NEW BEDROOM

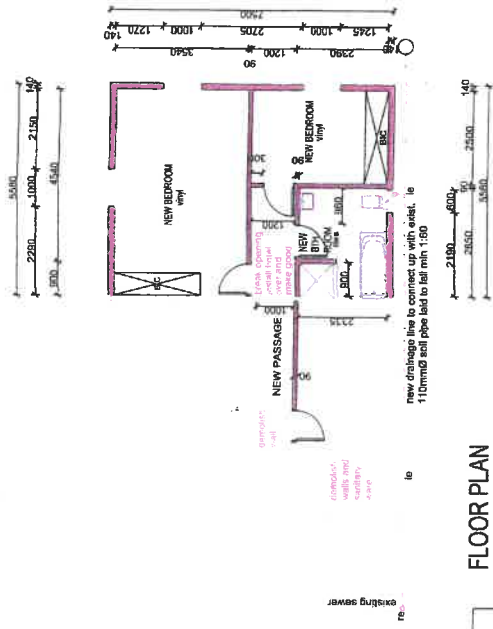
NEW BTH ROOM

700x230 conc. footing

600x200 slab thickenings

floor finishes as shown on plan on new 100mm conc. slab on dpm. on 50mm sandbed on well compacted hardcore

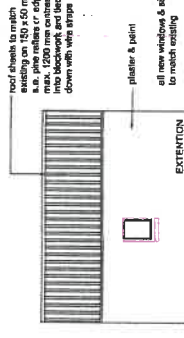
SECTION A-A
SCALE 1:50



FLOOR PLAN
SCALE 1:100

AREAS:	53 m ²
EXISTING HOUSE EXTENSIONS	41 m ²
TOTAL	94 m ²
COVERAGE ALLOWED	56%
PLOT AREA:	192 m ²
TOTAL COVERED AREA:	94 m ²
COVERAGE:	49%

BOUNDARY



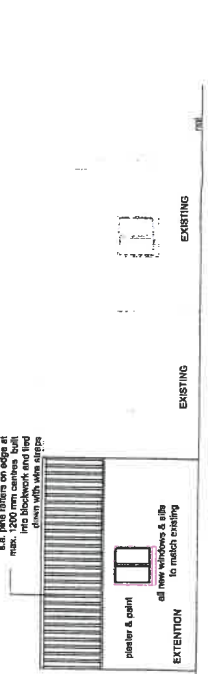
SOUTH ELEVATION
SCALE 1:100

roof sheets as per existing on 150 x 50 mm s.a. pine rafters on edge at max. 1200 mm centres built into blockwork and tied down with wire straps

WEST ELEVATION
SCALE 1:100

roof sheets to match existing on 150 x 50 mm s.a. pine rafters on edge at max. 1200 mm centres built into blockwork and tied down with wire straps

EAST ELEVATION
SCALE 1:100



NORTH ELEVATION
SCALE 1:100

RDC Designs cc

MR & MRS S. Kark

PROJECT TITLE:

EXTENSION TO EXISTING RDP HOUSE ON ERF 401 CNR FORTUIN STREET KLAPMUTS

DRAWING TITLE:

PLAN, SECTION & ELEVATION

PROJECT No.:	1	SCALE:	AS ON PLAN
DRAWING No.:	1	DATE:	30/07/2018
	0	DRAWN:	RDC
		CHECKED:	

FOR MUNICIPAL APPROVAL

This drawing and all the information contained