



STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15178 (TP134/2022)

Our File Reference Number: Erf 4022, Klappmuts

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 PERMANENT DEPARTURE ON ERF 4022, KLAPMUTS

1. The above application refers.
2. The duly authorised decision maker hereby decides on the above application as follows.
 - 2.1 That the application for Permanent Departure in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-law 2015 to relax the western common building line from 2.5m to 1.23m, eastern common building line from **3m** to **1.82m** and **3m** to **2.65m** to permit the construction of a scullery on the ground floor, stairs, en-suite, and bedroom on the first floor on Erf 4022, Klappmuts.

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 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.
- 2.2.2 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.

2.2.3 Building plans must be generally in accordance with the site plan / floor layout plan as referenced B01 revision 6, drawn by MB Architects, dated 28/06/2023 attached as **Annexure B**.

2.3 The reasons for the above decision are as follows:

2.3.1 The proposed departure would not negatively affect the aesthetic appearance of the greater Anura development.

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:

4.1 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

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

4.3 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.

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

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

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

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

4.8 The relief sought by the appellant.

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

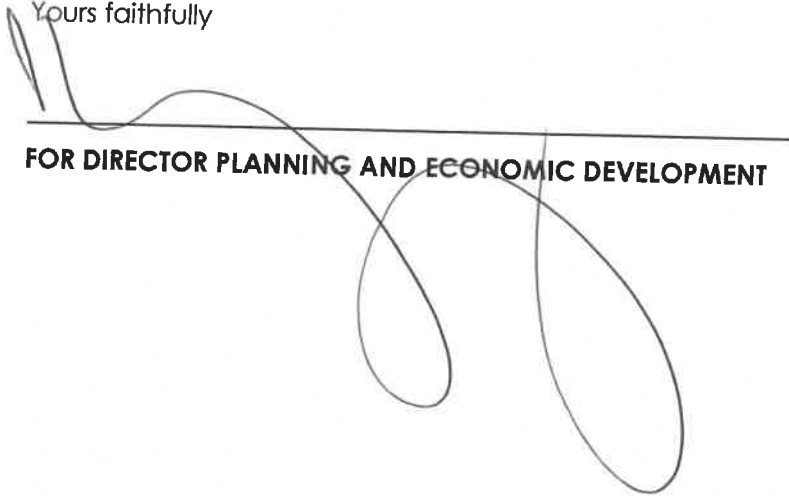
4.10 That the appeal includes the following declaration by the Appellant:

- 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.

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 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.
8. 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.
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 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 several loops and a long horizontal stroke, positioned above a solid horizontal line.

FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

4/8/2023
DATE:



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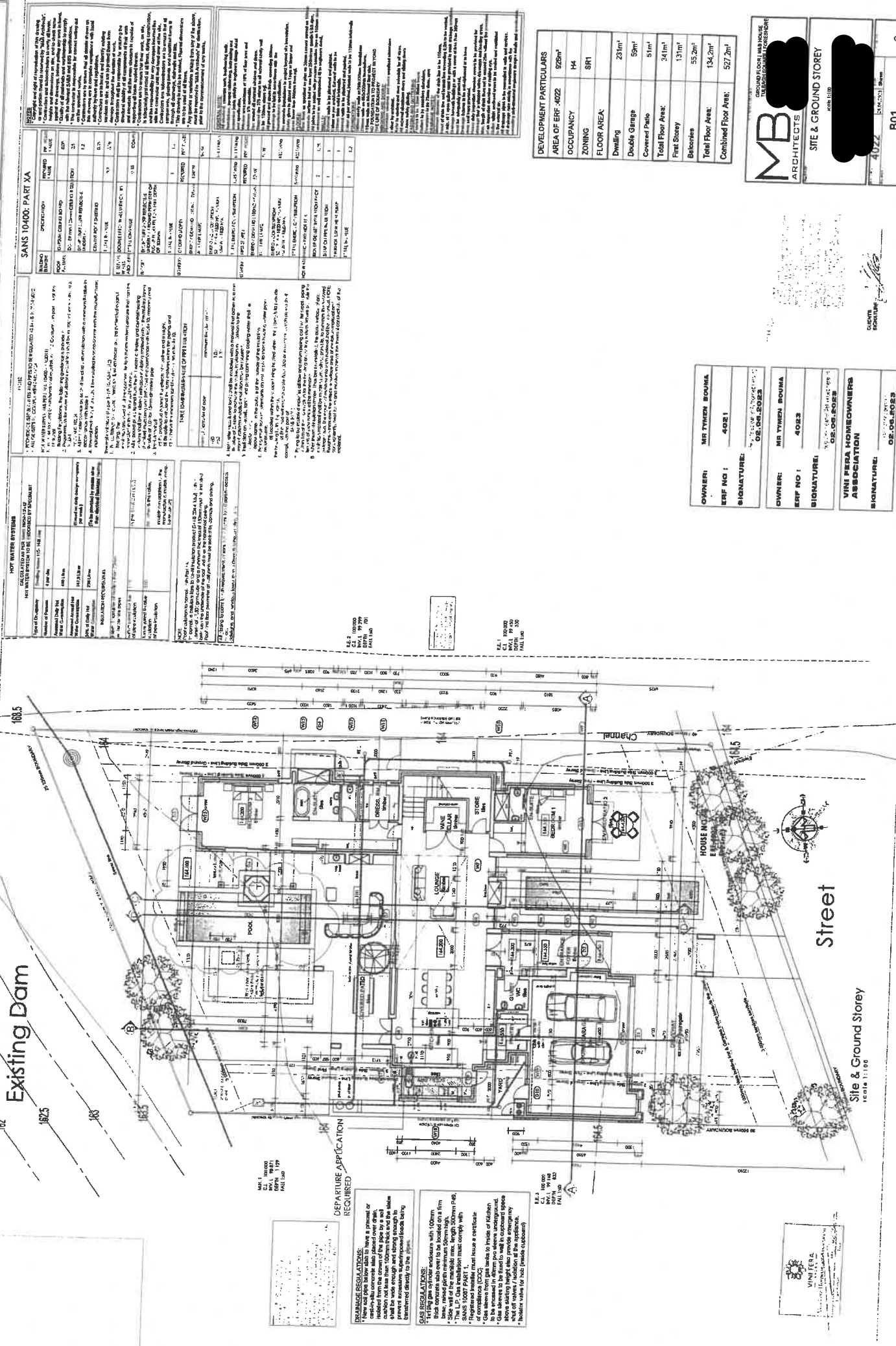
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ANNEXURE B

SITE PLAN / FLOOR LAYOUT PLANS

ERF 4022 - HOUSE SINGH, VINI FERA ESTATE, KLAPMUTS

FOR OFFICIAL USE ONLY



DEPARTURE APPLICATION REQUIRED

- SEWERAGE REGULATIONS:**
- * All sewerage must be piped to a public sewer or cesspit. All concrete must be laid over steel reinforcement mesh.
 - * The wall of the cesspit must be made of concrete or brickwork and must be at least 150mm thick.
 - * The floor of the cesspit must be made of concrete or brickwork and must be at least 150mm thick.
 - * The floor of the cesspit must be at least 150mm above the ground level.
 - * The floor of the cesspit must be at least 150mm above the ground level.
- GAS REGULATIONS:**
- * Gas cylinders must be stored in a secure, well-ventilated area.
 - * Gas cylinders must be stored upright.
 - * Gas cylinders must be stored in a well-ventilated area.
 - * Gas cylinders must be stored in a well-ventilated area.
 - * Gas cylinders must be stored in a well-ventilated area.

HOT WATER SYSTEMS

System	Description	Notes
1	Hot Water System	...
2	Hot Water System	...

THESE DISBURSEMENTS OF PROFITS ARE:

1. The first 10% of the profit shall be set aside for the benefit of the employees of the company.
2. The next 10% of the profit shall be set aside for the benefit of the employees of the company.
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4. The next 10% of the profit shall be set aside for the benefit of the employees of the company.

SANS 10400: PART XA

Item	Description	Value
1
2

DEVELOPMENT PARTICULARS

AREA OF ERF: 4022	928m ²
OCCUPANCY	H4
ZONING	SR1
FLOOR AREA	
Dwelling	231m ²
Double Garage	59m ²
Covered Patio	51m ²
Total Floor Area:	341m ²
First Storey	131m ²
Balconies	55.2m ²
Total Floor Area:	134.2m ²
Combined Floor Area:	527.2m ²

OWNER:	MR TYWEN BOUMA
ERF NO.:	4022
SIGNATURE:	02.06.2023
OWNER:	MR TYWEN BOUMA
ERF NO.:	4022
SIGNATURE:	02.06.2023
VINI FERA HOMEOWNERS ASSOCIATION	
SIGNATURE:	02.06.2023

MB ARCHITECTS
SITE & GROUND STOREY
Scale: 1:100

B01 (Site) (Date) 02.06.2023

FOR COUNCIL APPROVAL

Scale 1:100