



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14824

Our File Reference Number: Erf 441, Raithby

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 DEPARTURE IN TERMS OF SECTION 15(2)(b) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW, 2015 FOR A PERMANENT DEPARTURE ON ERF 441, RAITHBY

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 following building lines:

- (i) street building lines (both) from 4m to 1,3m and to 0m in order to accommodate the proposed dwelling house and swimming pool respectively, on Erf 441 Raithby.
- (ii) common building line from 2m to 1,250m in order to accommodate the proposed fireplace on Erf 441, Raithby.

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 application for departure under consideration, as indicated on the building plan referenced CT441_MUN 01 sheet 001/03 - 003/03 & 001/04, dated 04 July 2022, attached as **Annexure C** 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 Building plans and the development must be undertaken and be generally in accordance with the building plan as referenced CT441_MUN 01 sheet 001/03 - 003/03 & 001/04, dated 04 July 2022 and attached as **Annexure C**.

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.

2.3 The reasons for the above decision are as follows:

2.3.1 The proposed development is in line with the residential use of the property and therefore will not have an impact 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
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

10/1/2023
DATE:

Annexure C: Site Plan

COPYRIGHT RESERVED BY JAY DE WET
 License & Dimensions
 License: Architectural, sub-contractors and suppliers must verify all dimensions. All dimensions are to be taken from the drawings or physical work on site.
 Figured dimensions are to be used in preference to scaled dimensions.

AREA	140m ²	121 Bm ²	331m ²	48%
GROUND FLOOR PLAN				
FIRST FLOOR PLAN				
DWELLING TOTAL				
R/F COVERAGE				

Rev. Number	Rev. Description	Rev. Date

Client signatures

 Hannes Prinsloo
 Chairman of Home Owner Association
 PHILIP SHYMAN
 Approved by HOA on 19 July 2022

Project: **PROPOSED NEW ADDITION**
WINDLANDS VILLAGE
 STELLENBOSCH
 Building Classification: SR 1 Eff Zoning: H 4
 Drawing Description: Ground floor plan
 Section A-A
 Details: Fire Place, Stair Stack

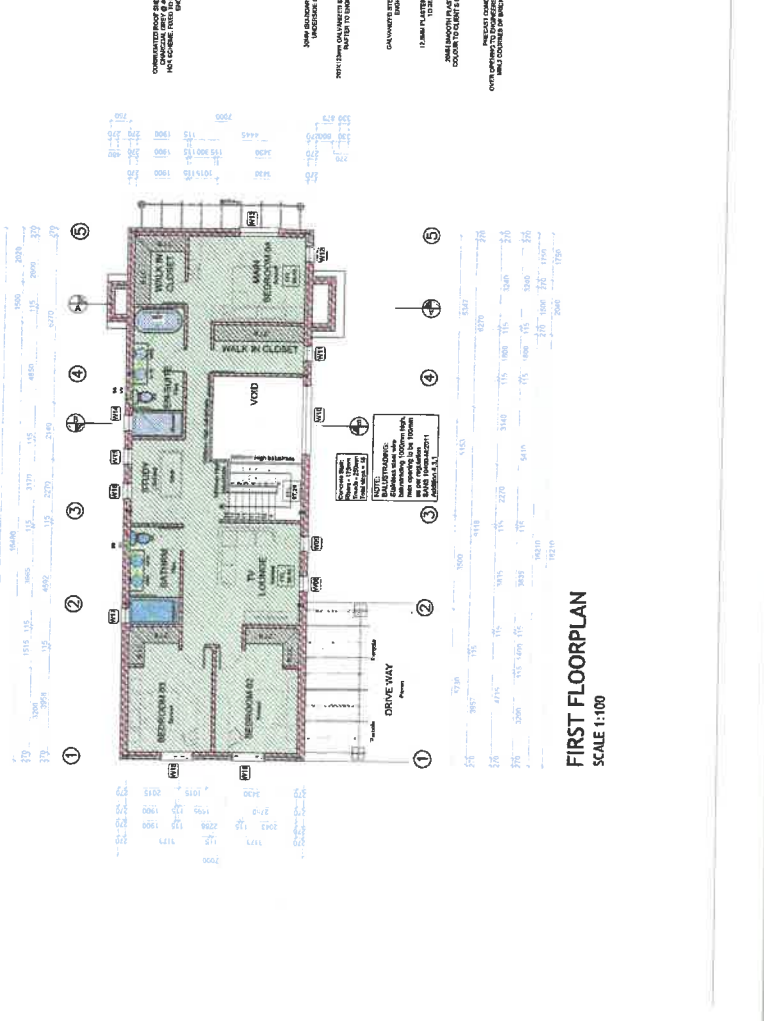
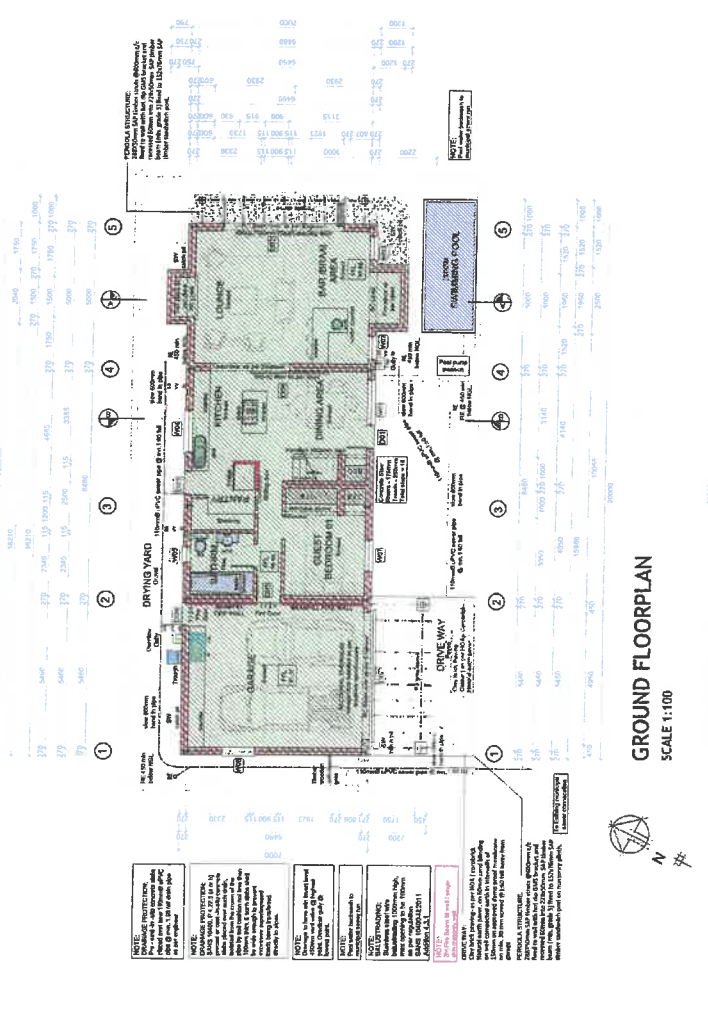
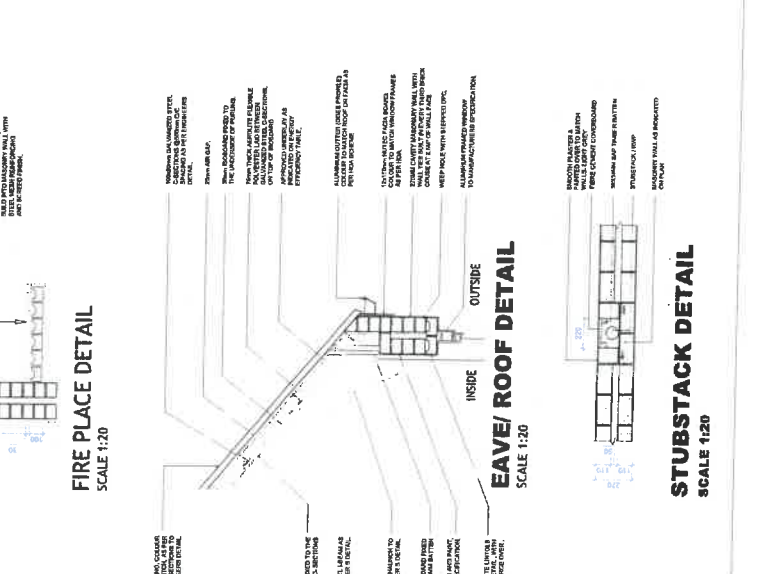
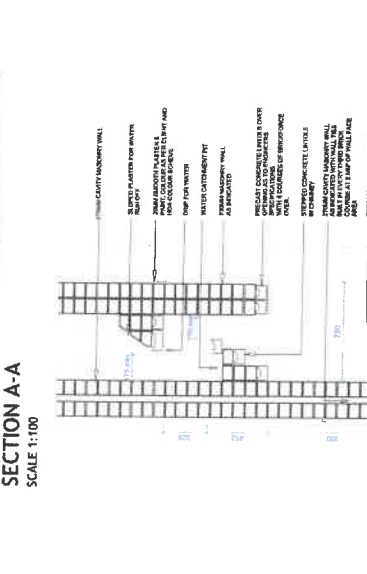
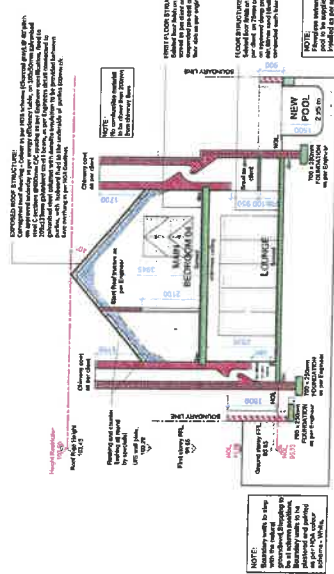
SS STUDIOS



Project No.: 001/003
 Date: 01-JUL-2022
 Scale: 1:100
 Sheet: 11

SANS 204 (Energy Efficiency) NOTES:
 GENERAL: All drawings shall comply with the requirements of SANS 204 (Energy Efficiency) as published in the Government Gazette of the Republic of South Africa.
 INSULATION FOR ROOFING:
 Thermal insulation shall be provided in accordance with SANS 204 (Energy Efficiency) as published in the Government Gazette of the Republic of South Africa.
 HOT WATER SERVICE:
 All hot water pipes shall be insulated in accordance with SANS 204 (Energy Efficiency) as published in the Government Gazette of the Republic of South Africa.
 FLOOR FINISHES:
 All floor finishes shall be specified in accordance with SANS 204 (Energy Efficiency) as published in the Government Gazette of the Republic of South Africa.
 NOTE: All dimensions are to be taken from the drawings unless otherwise indicated.

- NOTES -
 GENERAL:
 All drawings shall comply with the requirements of SANS 10400 (Structural Steelwork) as published in the Government Gazette of the Republic of South Africa.
 LEVELS AND DIMENSIONS:
 All levels and dimensions shall be taken from the drawings unless otherwise indicated.
 FOUNDATIONS:
 All foundations shall be designed in accordance with SANS 10400 (Structural Steelwork) as published in the Government Gazette of the Republic of South Africa.
 WALL CONSTRUCTION:
 All walls shall be constructed in accordance with SANS 10400 (Structural Steelwork) as published in the Government Gazette of the Republic of South Africa.
 WINDOW DOORS AND OPENINGS:
 All window doors and openings shall be designed in accordance with SANS 10400 (Structural Steelwork) as published in the Government Gazette of the Republic of South Africa.
 ROOF CONSTRUCTION:
 All roof construction shall be designed in accordance with SANS 10400 (Structural Steelwork) as published in the Government Gazette of the Republic of South Africa.
 FINISHES:
 All finishes shall be specified in accordance with SANS 10400 (Structural Steelwork) as published in the Government Gazette of the Republic of South Africa.



NOTES:
 1. All dimensions are to be taken from the drawings unless otherwise indicated.
 2. All materials shall be specified in accordance with SANS 10400 (Structural Steelwork) as published in the Government Gazette of the Republic of South Africa.
 3. All finishes shall be specified in accordance with SANS 10400 (Structural Steelwork) as published in the Government Gazette of the Republic of South Africa.
 4. All structural steelwork shall be designed in accordance with SANS 10400 (Structural Steelwork) as published in the Government Gazette of the Republic of South Africa.
 5. All roof construction shall be designed in accordance with SANS 10400 (Structural Steelwork) as published in the Government Gazette of the Republic of South Africa.

CLIENT SIGNATURES:
 Hannes Prinsloo
 PHILIP SHYMAN
 Approved by HOA on 19 July 2022

SS STUDIOS
 Project No.: 001/003
 Date: 01-JUL-2022
 Scale: 1:100
 Sheet: 11

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 All drawings, specifications and schedules must comply with the applicable building codes and regulations. All dimensions and levels on this and all drawings must be approved by the Architect before commencing any shop drawings or physical work on site.
 Figured dimensions are to be used in preference to actual dimensions.

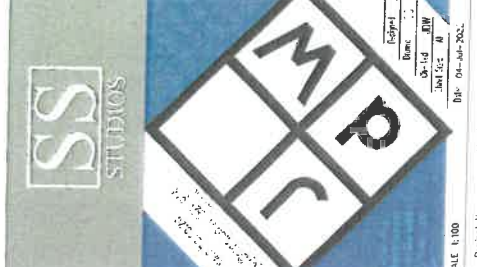
AREA	REVISION	SCHEDULE	REV. DESCRIPTION	REV. DATE
GROUND FLOOR PLAN -				
FIRST FLOOR PLAN -				
DWELLING TOTAL -				
ERC -				
COVERAGE -				

Client signatures

OWNER: HANES PRINLOO
 ARCHITECT: JAY DE WET
 Chairman of Home Owner Association: PHILIP SWANAN
 Approved by HOA on 18 July 2022

Project: PROPOSED NEW ADDITION FOR WIRELAN VILLAGE STELLENBOSCH

Building Classification: SR 1 B-Zoning: H 4
 Drawing Description: Electrical Plan
 Window and Door Schedule



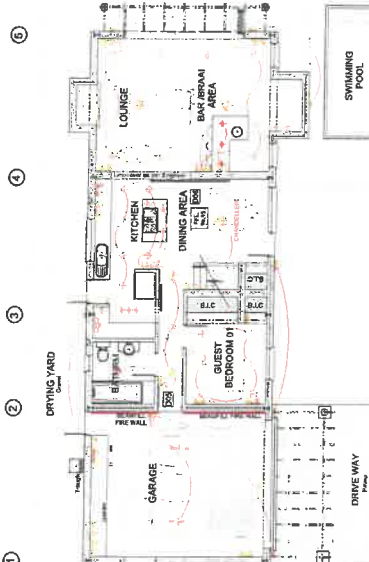
Scale: 1:100
 Project No: 21641_MUN 01
 Date: 04-04-2022
 Sheet No: 003/03

ELECTRICAL LEGEND	
WALL MOUNTED LIGHT - 1000mm Hx 300mm W	Light fixture symbol
LOW VOLTAGE DOWN LIGHT	Light fixture symbol
DOUBLE DOWN LIGHT	Light fixture symbol
CHANDLER	Light fixture symbol
SPOT LIGHT	Light fixture symbol
1000mm x 1500mm DOWN LIGHT	Light fixture symbol
1000mm x 1500mm DOWN LIGHT	Light fixture symbol
DOUBLE PLUS POINT - 200mm Hx 100mm W	Light fixture symbol
SINGLE PLUS POINT - 200mm Hx 100mm W	Light fixture symbol
DOUBLE PLUS POINT - 1000mm Hx 100mm W	Light fixture symbol
SINGLE PLUS POINT - 1000mm Hx 100mm W	Light fixture symbol
TRIP POINT	Light fixture symbol
DISTRIBUTION BOARD	Light fixture symbol
SOIL OUTLET OR LARGER	Light fixture symbol

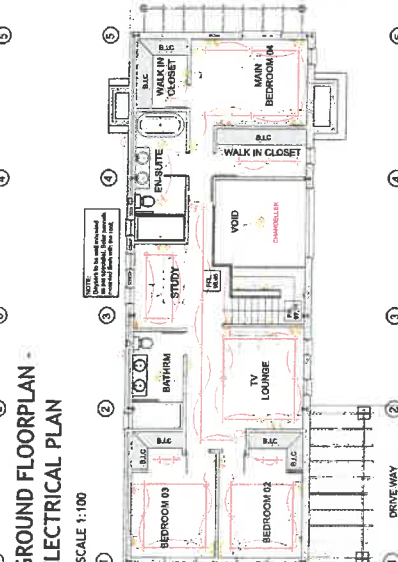
NOTE: Windows are shown at 4.5m H. All windows shall be in accordance with the applicable building codes and regulations. All windows shall be in accordance with the applicable building codes and regulations. All windows shall be in accordance with the applicable building codes and regulations.

- NOTES -

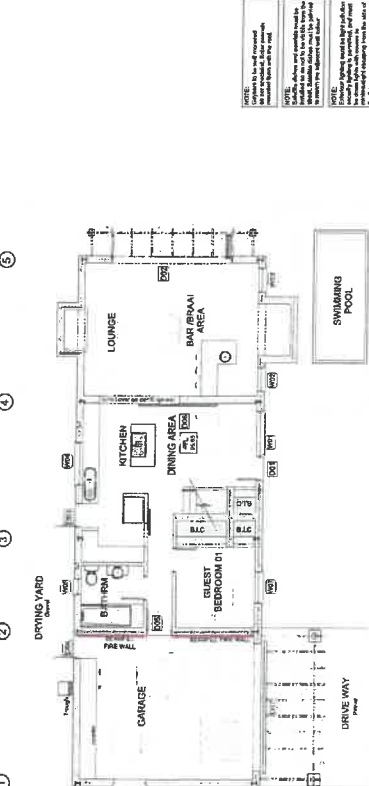
1. All work to comply with the applicable building codes and regulations. All work to comply with the applicable building codes and regulations. All work to comply with the applicable building codes and regulations.



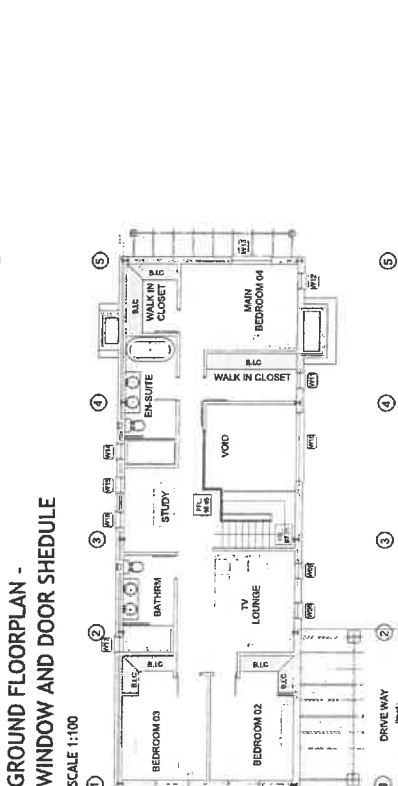
GROUND FLOOR PLAN - WINDOW AND DOOR SCHEDULE SCALE 1:100



FIRST FLOOR PLAN - WINDOW AND DOOR SCHEDULE SCALE 1:100



GROUND FLOOR PLAN - ELECTRICAL SCALE 1:100



FIRST FLOOR PLAN - ELECTRICAL SCALE 1:100

QUANTITY	DESCRIPTION	UNIT	AREA
1	WALL MOUNTED LIGHT - 1000mm Hx 300mm W	Light fixture	1.00
1	LOW VOLTAGE DOWN LIGHT	Light fixture	1.00
1	DOUBLE DOWN LIGHT	Light fixture	1.00
1	CHANDLER	Light fixture	1.00
1	SPOT LIGHT	Light fixture	1.00
1	1000mm x 1500mm DOWN LIGHT	Light fixture	1.00
1	1000mm x 1500mm DOWN LIGHT	Light fixture	1.00
1	DOUBLE PLUS POINT - 200mm Hx 100mm W	Light fixture	1.00
1	SINGLE PLUS POINT - 200mm Hx 100mm W	Light fixture	1.00
1	DOUBLE PLUS POINT - 1000mm Hx 100mm W	Light fixture	1.00
1	SINGLE PLUS POINT - 1000mm Hx 100mm W	Light fixture	1.00
1	TRIP POINT	Light fixture	1.00
1	DISTRIBUTION BOARD	Light fixture	1.00
1	SOIL OUTLET OR LARGER	Light fixture	1.00

QUANTITY	DESCRIPTION	UNIT	AREA
1	WALL MOUNTED LIGHT - 1000mm Hx 300mm W	Light fixture	1.00
1	LOW VOLTAGE DOWN LIGHT	Light fixture	1.00
1	DOUBLE DOWN LIGHT	Light fixture	1.00
1	CHANDLER	Light fixture	1.00
1	SPOT LIGHT	Light fixture	1.00
1	1000mm x 1500mm DOWN LIGHT	Light fixture	1.00
1	1000mm x 1500mm DOWN LIGHT	Light fixture	1.00
1	DOUBLE PLUS POINT - 200mm Hx 100mm W	Light fixture	1.00
1	SINGLE PLUS POINT - 200mm Hx 100mm W	Light fixture	1.00
1	DOUBLE PLUS POINT - 1000mm Hx 100mm W	Light fixture	1.00
1	SINGLE PLUS POINT - 1000mm Hx 100mm W	Light fixture	1.00
1	TRIP POINT	Light fixture	1.00
1	DISTRIBUTION BOARD	Light fixture	1.00
1	SOIL OUTLET OR LARGER	Light fixture	1.00

WINDOW SCHEDULE: QUANTITY, DESCRIPTION, UNIT, AREA. WINDOW SCHEDULE: QUANTITY, DESCRIPTION, UNIT, AREA. WINDOW SCHEDULE: QUANTITY, DESCRIPTION, UNIT, AREA.