



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/13422

Our File Reference Number: Erf 4765, Stellenbosch

Your Reference Number: None

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, TECHNICAL APPROVAL & REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS ON ERF 4765, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the following applications in terms of Section 15 (2) of the Stellenbosch Municipality Land Use Planning By-law, 2015:
 - 2.1.1 **Removal of Restrictive Title Conditions** in terms of Section 15(2)(f) of the said by-law, in order to accommodate the proposed additions and second dwelling. The restrictive title deed conditions (as held in the Title Deed No. T45662/2021) to be removed are conditions B.6.(a) and B.6.(b) which reads as follows:
 - a) B.6.(a) – Hierdie erf mag alleenlik gebruik word vir die oprigting daarop van een woning of ander geboue vir die doeleindes wat die Dorpkommissie en die plaaslike owerheid goedkeur, met dien verstande dat indien die erf in die gebied van 'n dorpsaanlegskema ingesluit is, die plaaslike owerheid enige ander geboue wat deur die skema toegelaat word, kan toelaat, onderworpe aan die voorwaardes en beperkings wat in the skema bepaal word.
 - b) B.6. (b) – Geen gebou of struktuur of enige gedeelte daarvan, behalwe grensmure en heinings, mag behalwe die toestemming van die Administrateur nader as 6,30 meter van die

straatlyn wat 'n grents van hierdie erf uitmaak, asook nie binne 3,15 meter van enige ander grents opgerig word nie.

BE REFUSED in terms of Section 60 of the said Bylaw for the following reasons:

- (i) The removal of the restrictive title deed condition is not required as the title deed condition is not restrictive and clearly state that permission may be given by the administrator if the zoning scheme allows.

2.1.2 **That Permission required in terms of restrictive title deed condition** B.6.(a) and B.6.(b) on page 3 of Title Deed No T45662/2021, to relax the restrictive title deed condition street building line and common building line in order to accommodate the new additions (study, garage, covered patio) and second dwelling) as indicated on Drawing No: 401, Project No: 20-055, dated 15 July 2022 & drawn by Red Atlantic Architects.

BE GRANTED.

3. That the following application in terms of Section 15 (2) of the Stellenbosch Municipality Land Use Planning By-law, 2015:

3.1 **Permanent Departure** in terms of Section 15 (2) (b) of the said by-law, to relax the following:-

- 3.1.1 Street building line from 4m to 1.57m in order to accommodate the proposed new study attached to the proposed garage extension.
- 3.1.2 Common building line adjacent to Erf 4764 from 2.5 to 0m and common building line adjacent to Erf 4767 from 2.5m to 1.23m (as amended) in order to accommodate proposed new covered patio.
- 3.1.3 Common building line adjacent to Erf 4764 from 2.5m to 1.309m in order to accommodate proposed new second dwelling.

3.2 **Permission/Technical approval** in terms of Section 13 of the Stellenbosch Zoning scheme by-law to accommodate a second dwelling unit on Erf 4765, Stellenbosch.

BE APPROVED in terms of Section 60 of the by law and subject to the following conditions in terms of Section 66 of the said Bylaw:

4. Conditions of approval

4.1 The approval applies only to the application under consideration as indicated on Drawing No: 401, Project No: 20-055, dated 15 July 2022 & drawn by Red Atlantic Architects, and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.

4.2 The development shall be implemented substantially in accordance with the Site Development Plan referenced as Project No: 20-055, dated 15 July 2022 & drawn by Red Atlantic Architects, and attached as **Annexure C**.

4.3 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.

4.4 Building plans must be generally in accordance with the layout plans as Project No: 20-055, dated 15 July 2022 & drawn by Red Atlantic Architects, and attached as **Annexure C**.

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

5.1 The proposed additions and second dwelling would not negatively affect the aesthetic appearance of the structure, property or surrounding environment.

6. 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.

7. 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;

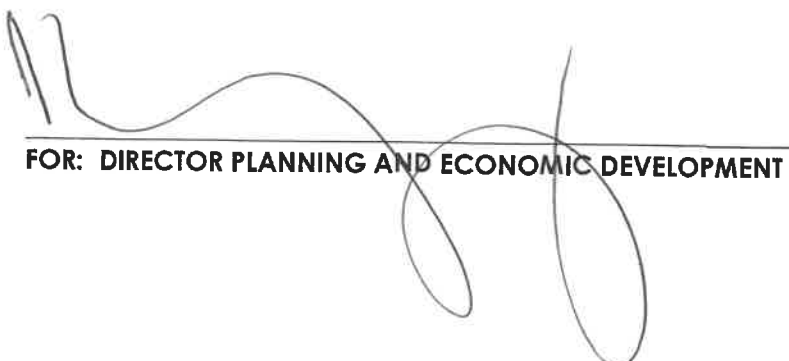
(V) Contact details, including a Cell number and E-Mail address;

- (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.

8. 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

9. 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.
10. 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>).
11. 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.
12. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
13. 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

1/12/2022
DATE:

COPIES TO:

- 1) [REDACTED]
[REDACTED]
- 2) [REDACTED]
[REDACTED]
- 3) [REDACTED]
[REDACTED]
- 4) [REDACTED] [marcus@basson.com](#)
[REDACTED]

ANNEXURE C: SITE DEVELOPMENT PLAN

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Owner:

ERF Number:

Signature:

Date:

Multiple Approval Sheet:

H4 - Dwelling House
RED ATLANTIC
 architecture

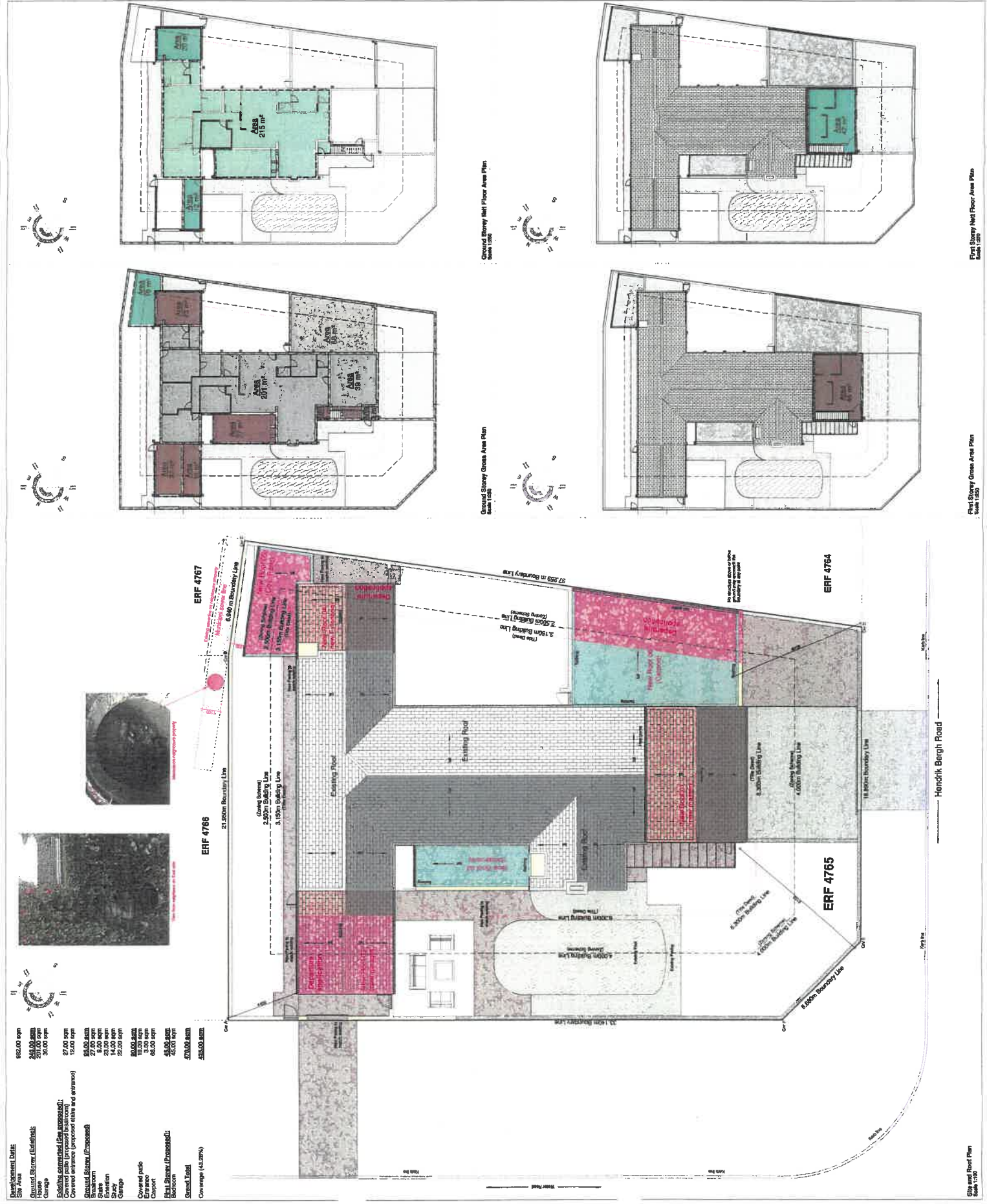
REGISTERED ARCHITECTS
 1011 South Beach Road, Suite 1011, Cape Town, South Africa
 Tel: +27 (0) 21 448 5500
 Email: info@redatlantic.co.za

House M115
 Property description

House M115
 Project description

Site and floor plan & Area plans

Project number: **001** Project status: **Final submission**
 Project Date: **20/05/18** Drawn by: **[redacted]**
 Issue Date: **02/07/18 13:18:45** Scale: **[redacted]** Page Size: **A1**
 Issue Date: **02/07/18 13:18:45** Scale: **[redacted]** Page Size: **A1**



Site and floor plan Scale 1:100

ACCEPTANCE OF SITE PLAN
 (The undersigned hereby certifies that the information contained herein is true and correct to the best of their knowledge and belief, and that they are not aware of any facts or circumstances which would render the information contained herein false or misleading in any material particular.)

Owner
 [Redacted]
 [Redacted]

Signature
 [Redacted]

Date
 [Redacted]

MRP Approval Status
 [Redacted]

ERF Number
 [Redacted]

Project description
 [Redacted]

Sheet description
 [Redacted]

Floor Plans

Project number
 20-039

Sheet number
 101

Project Date
 [Redacted]

Designed by
 [Redacted]

Drawn by
 [Redacted]

Project status
 [Redacted]

Consent extension
 [Redacted]

Drawn by
 [Redacted]

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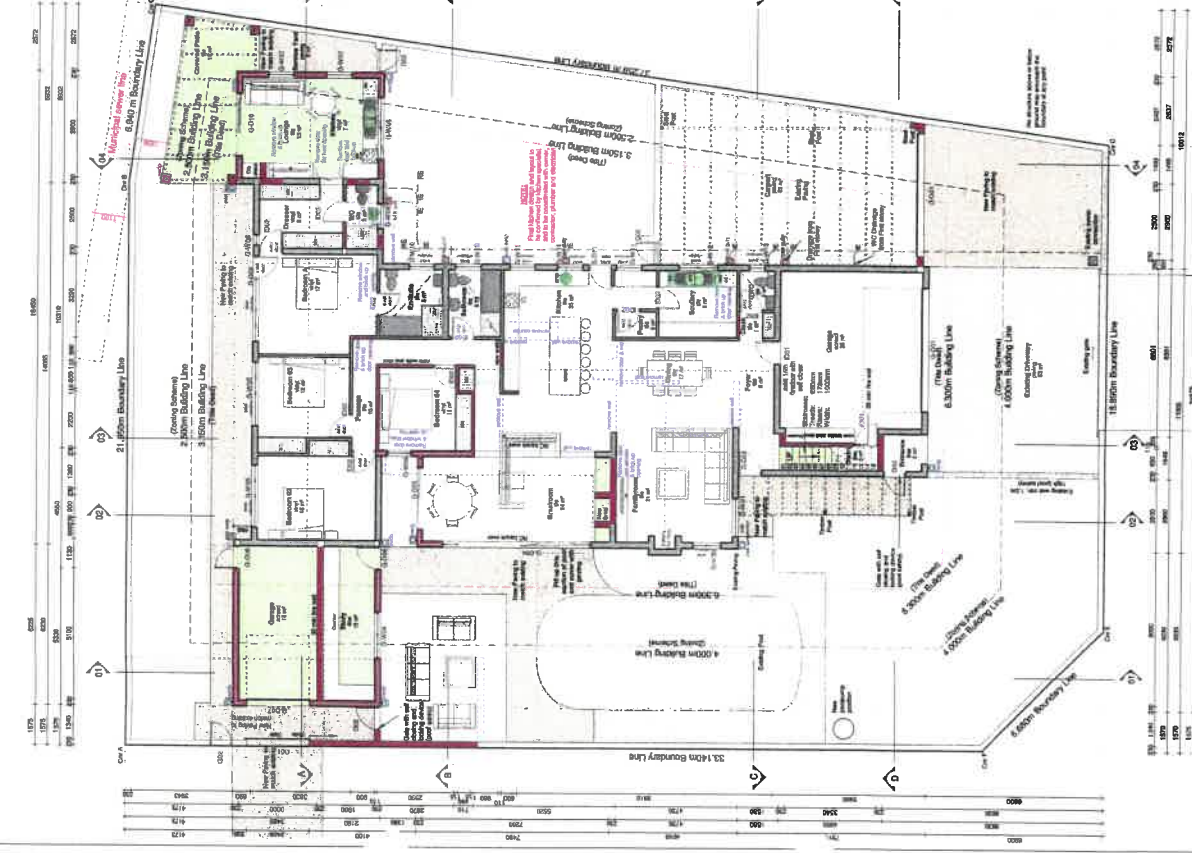
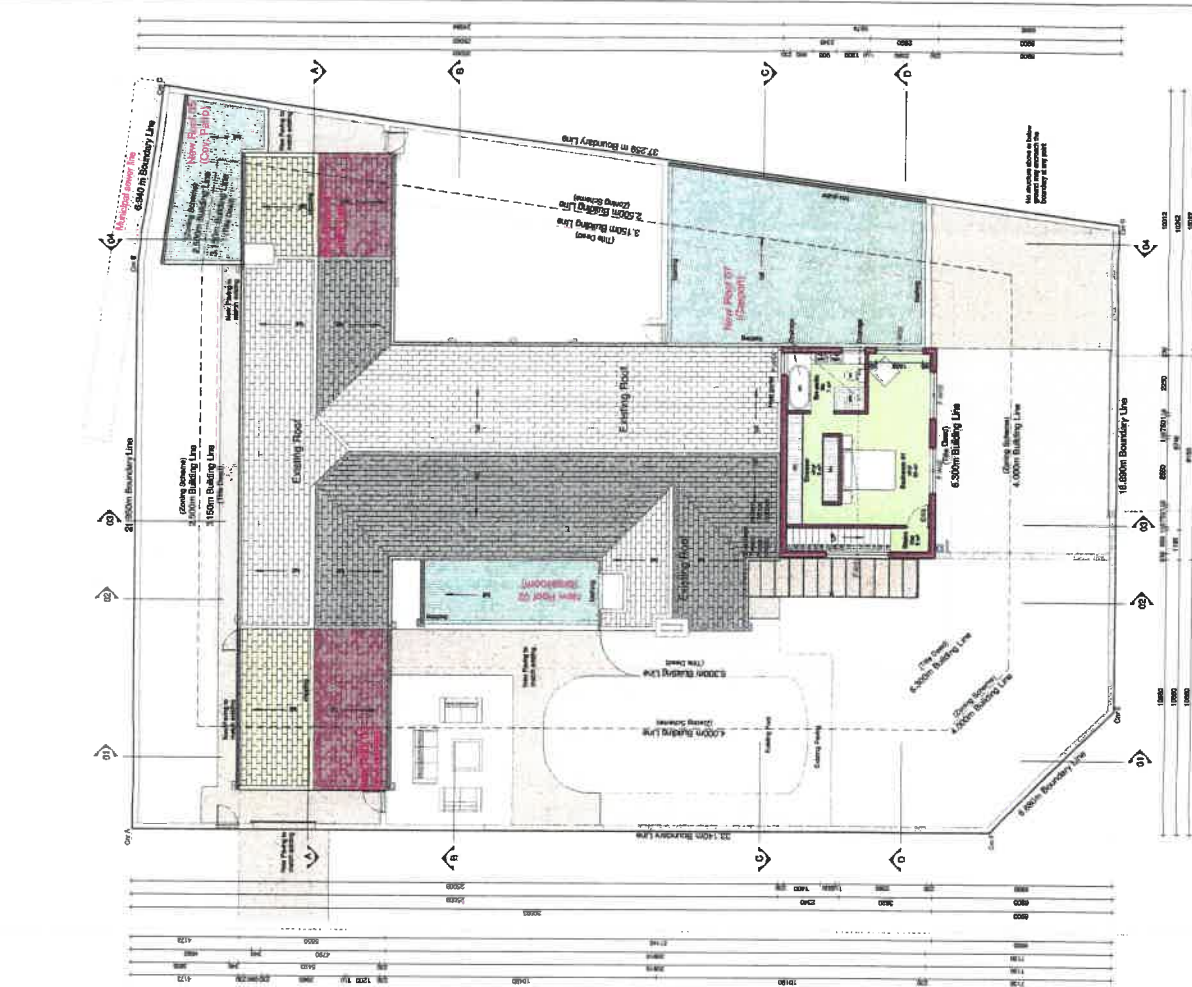
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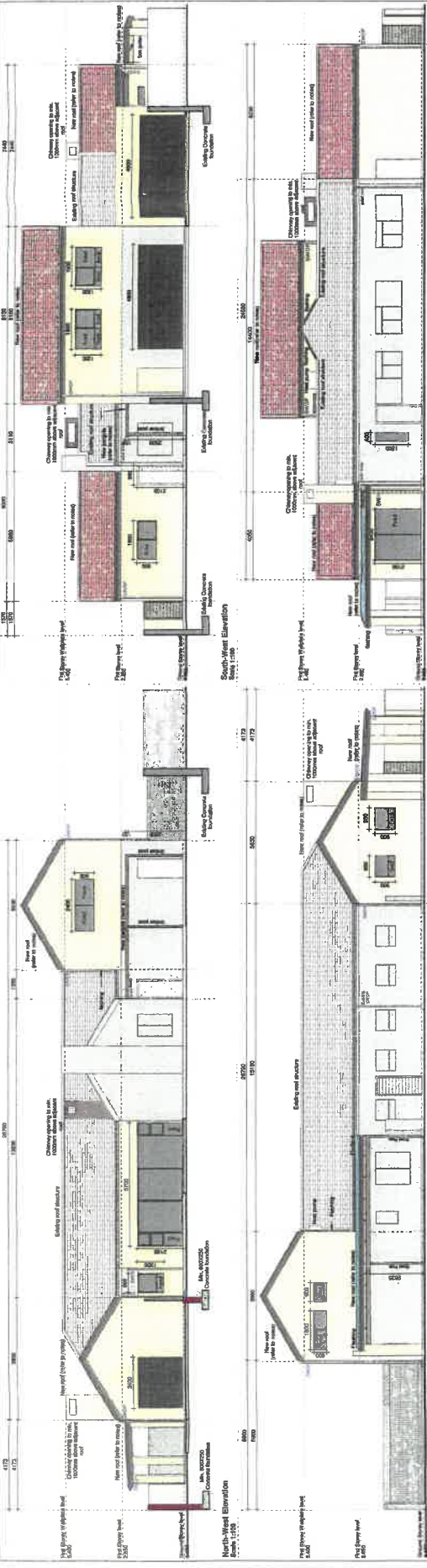
Drawn by
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OWNERS
 [Name and address of the client]
 [Name and address of the architect]

Signature
 [Signature of the architect]

Date
 [Date of the drawing]

Sheet Number
 201

Project Name
 H4 - Dwelling House

Project Status
 Concept submission

Project Date
 [Date]

Project Location
 [Address]

Scale
 [Scale]

Drawn by
 [Name]

Issue Date
 [Date]

Page Size
 [Size]

North-South Elevation
 Scale: 1:100
 This elevation shows the front facade of the house. It features a central entrance with a gabled roof and a large window above the door. The facade is finished with a brick pattern. The drawing includes dimensions for the overall height and width, as well as specific measurements for the windows and door.

North-West Elevation
 Scale: 1:100
 This elevation shows the side profile of the house from the northwest. It highlights the gabled roof structure and the side windows. The drawing includes dimensions for the roof pitch and the overall height of the structure.

South-West Elevation
 Scale: 1:100
 This elevation shows the side profile of the house from the southwest. It features a large window and a side entrance. The drawing includes dimensions for the window height and the overall width of the facade.

Material Schedule
 This table lists the materials used in the project, including their quantities and units. It includes items like bricks, windows, doors, and roof tiles.

Item	Quantity	Unit
Brickwork	1000	m ²
Windows	10	nos
Doors	2	nos
Roof Tiles	500	m ²

Notes
 1. All dimensions are in millimeters unless otherwise stated.
 2. The drawing is for informational purposes only and is not to be used for construction without the approval of the architect.
 3. The owner is responsible for obtaining all necessary permits and approvals for the project.

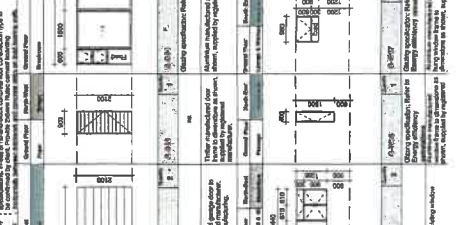
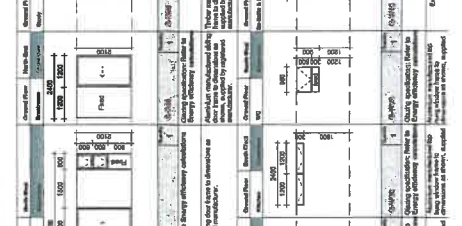
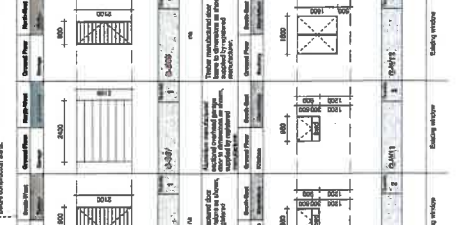
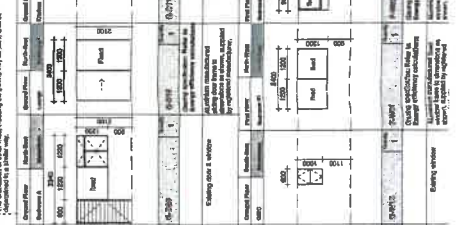
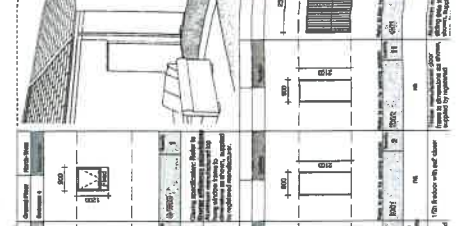
Notes
 4. The drawing is subject to change without notice.
 5. The architect is not responsible for any errors or omissions in the drawing.

Notes
 6. The drawing is for informational purposes only and is not to be used for construction without the approval of the architect.

Notes
 7. The drawing is for informational purposes only and is not to be used for construction without the approval of the architect.

Notes
 8. The drawing is for informational purposes only and is not to be used for construction without the approval of the architect.

RED ATLANTIC architecture
 H4 - Dwelling House
 Project Status: Concept submission
 Project Number: 201
 Project Date: [Date]
 Project Location: [Address]
 Scale: [Scale]
 Drawn by: [Name]
 Issue Date: [Date]
 Page Size: [Size]



DOOR & WINDOW SCHEDULE

Item	Description	Quantity	Unit
1	Front Door	1	nos
2	Side Door	1	nos
3	Window 1	10	nos
4	Window 2	5	nos
5	Window 3	3	nos

CONTRACTOR NOTICE: Design Architect: RED ATLANTIC ARCHITECTURE. Complete contract documents, including all specifications, drawings, and addendums, are available for review at the project location. The architect is not responsible for construction methods or means, or for the safety of construction. The contractor shall be responsible for obtaining all necessary permits and for the safety of construction. The contractor shall be responsible for the coordination of all trades and for the completion of the project in accordance with the contract documents. The contractor shall be responsible for the payment of all bills of materials and for the payment of all subcontractors. The contractor shall be responsible for the payment of all taxes and for the payment of all insurance. The contractor shall be responsible for the payment of all utility bills and for the payment of all other bills. The contractor shall be responsible for the payment of all other costs of construction. The contractor shall be responsible for the payment of all other costs of construction. The contractor shall be responsible for the payment of all other costs of construction.

OWNER: The owner is the person or entity who is responsible for the completion of the project. The owner is responsible for the payment of all costs of construction. The owner is responsible for the payment of all bills of materials and for the payment of all subcontractors. The owner is responsible for the payment of all taxes and for the payment of all insurance. The owner is responsible for the payment of all utility bills and for the payment of all other bills. The owner is responsible for the payment of all other costs of construction. The owner is responsible for the payment of all other costs of construction. The owner is responsible for the payment of all other costs of construction.

Owner

Signature

Date

Multiple Approval Stamp

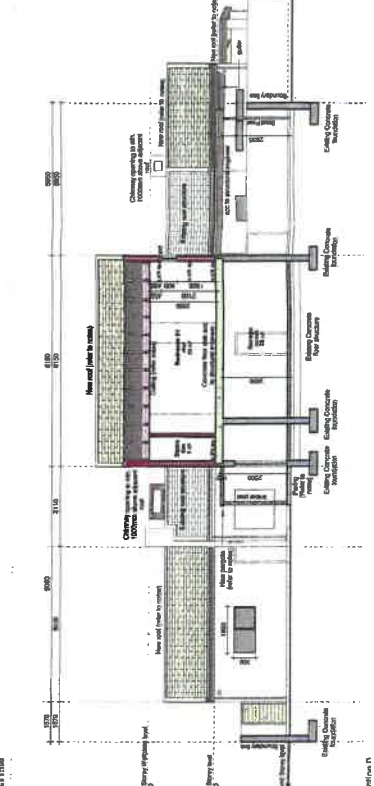
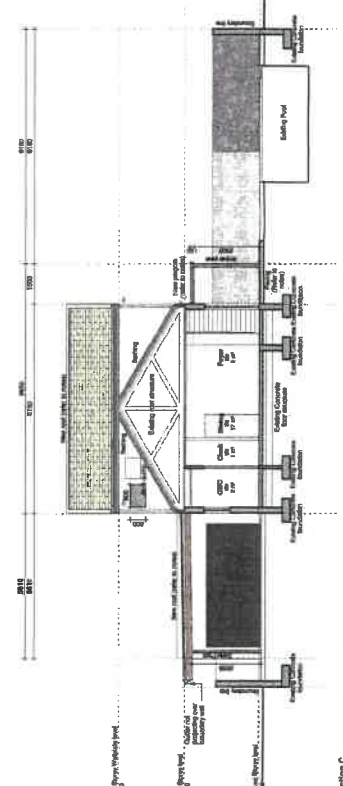
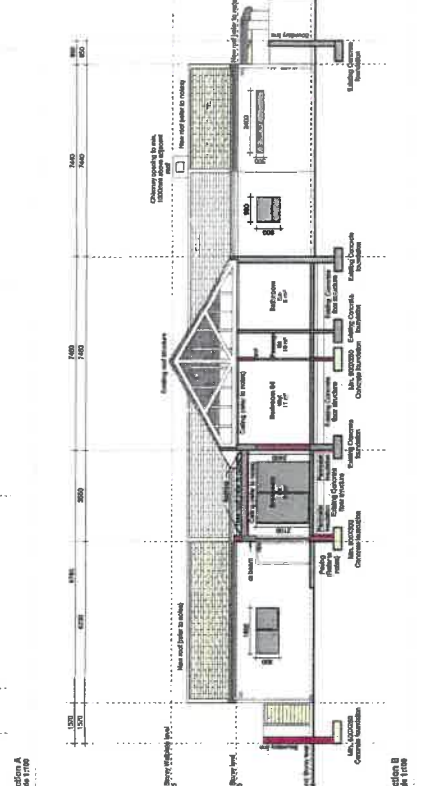
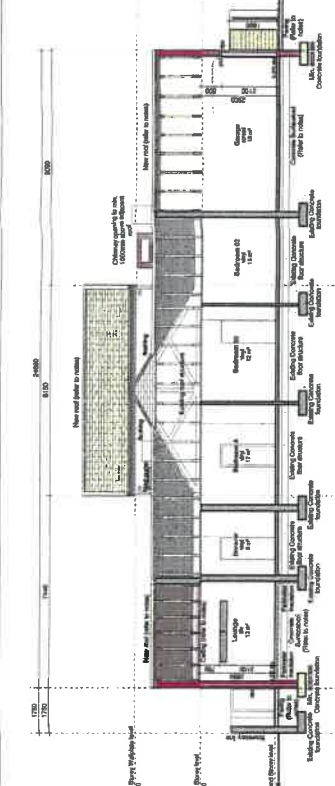
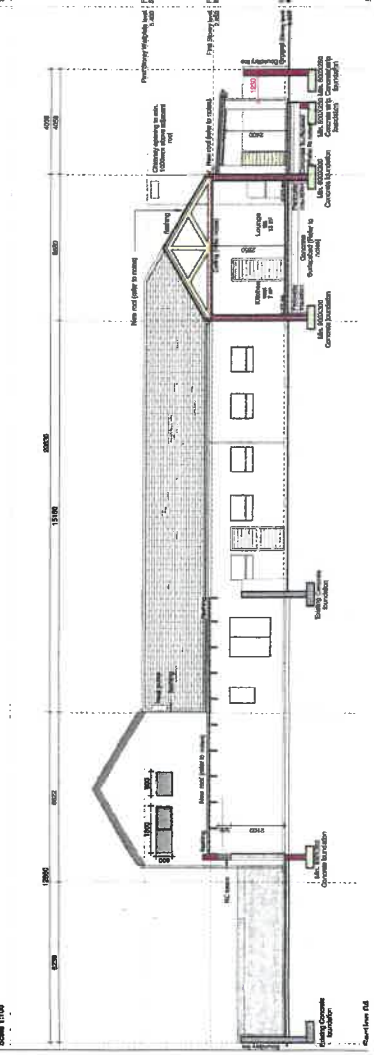
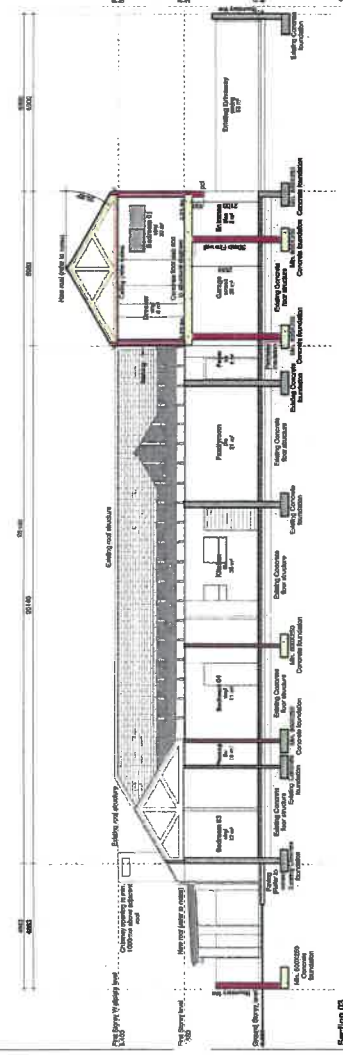
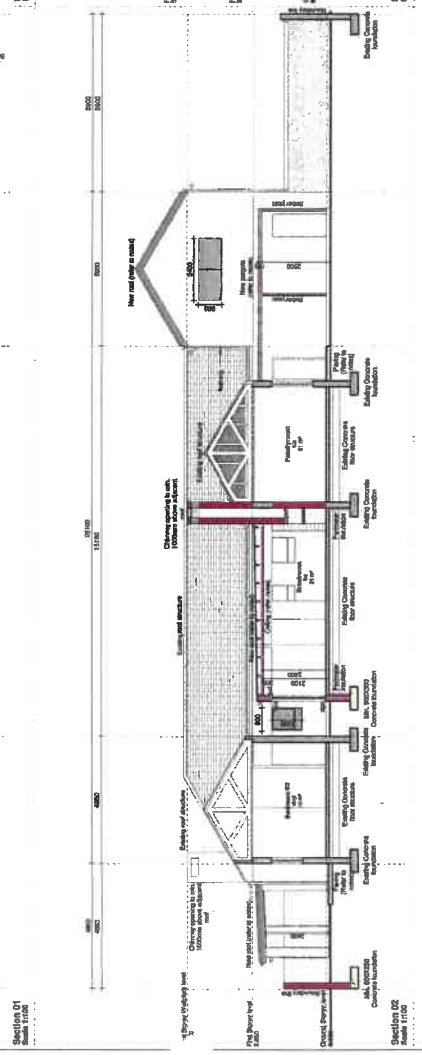
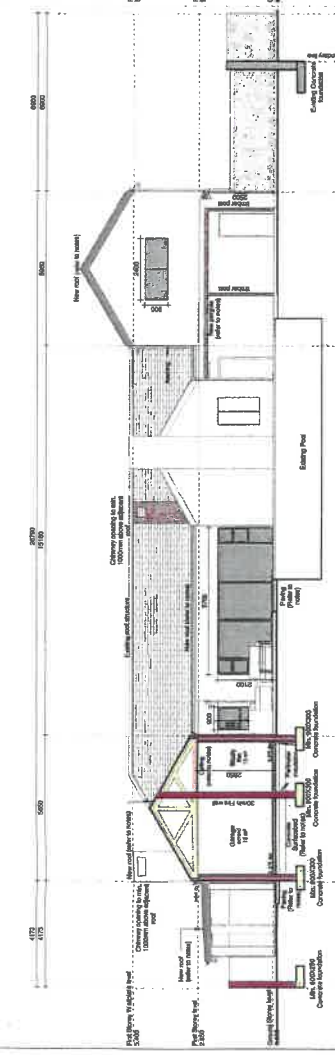
ERP Number

H4 - Dwelling House
RED ATLANTIC architecture
1111 N. W. 11th St. Suite 1000 Ft. Lauderdale, FL 33304
TEL: 954.562.1111 FAX: 954.562.1112
WWW.REDATLANTICARCHITECTURE.COM

House Mills

Property description: [Redacted]
Project description: [Redacted]

Sections:
Project number: 20-055
Sheet number: 301
Project Date: [Redacted]
Designed by: [Redacted]
Drawn by: [Redacted]



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Owner

ERF Number

Signature

Date

Multiple Approval Stamps

H4 - Dwelling House

RED ATLANTIC
architecture

REIMER VAN LARSEN
31 DORPSTRAAT
1017 CA AMSTERDAM
T: +31 (0)20 654 9131
F: +31 (0)20 654 9132
E: reimer@redatlantic.nl

Property description
House Mills

Project description

Electrical plans

Project number

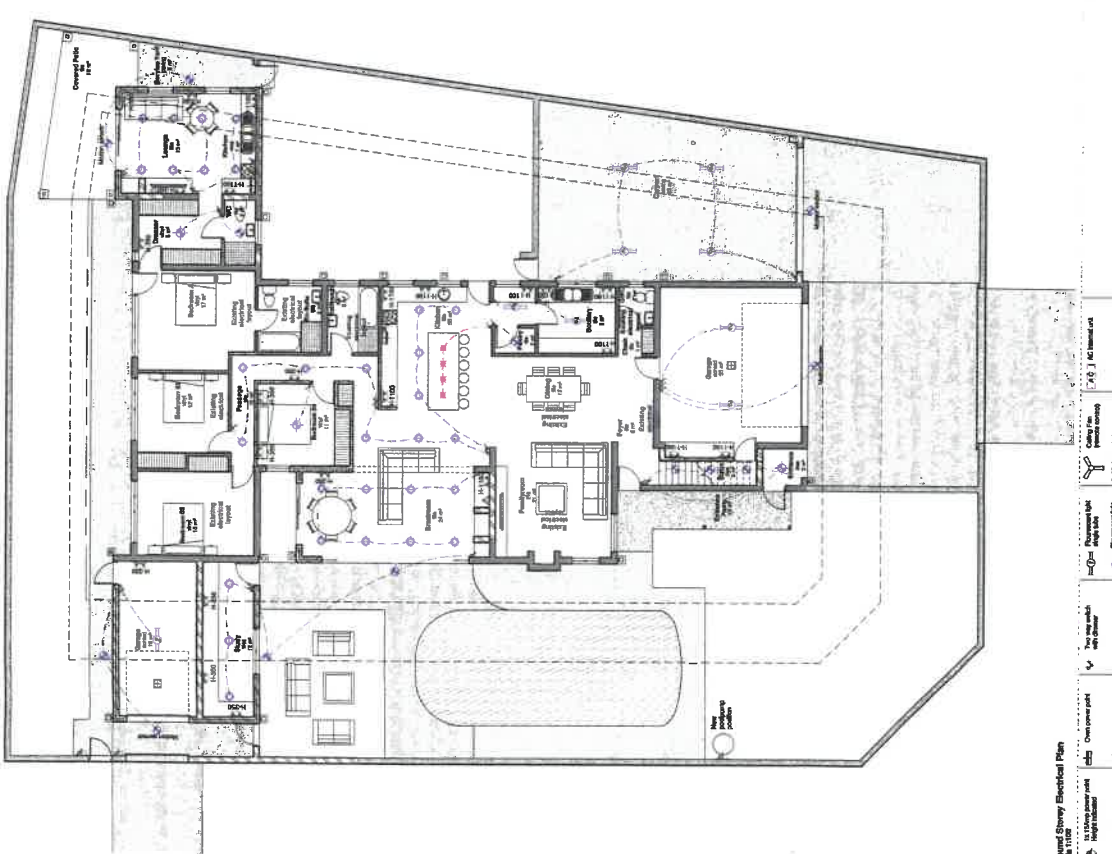
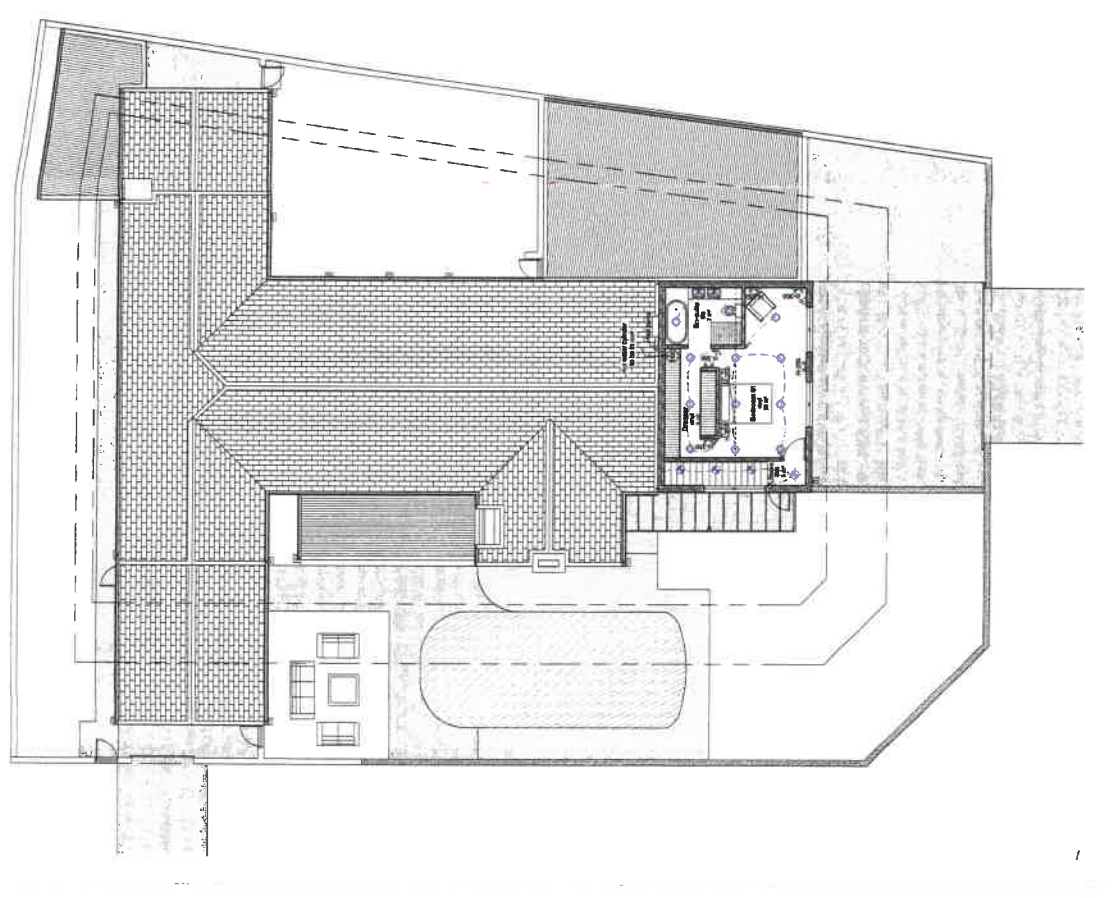
Sheet number

Project status

Drawn by

Approved by

Date



GROUND FLOOR ELECTRICAL PLAN

ELECTRICAL LEGEND

Light fixture	Open circuit point	One-way switch	Two-way switch	Three-way switch	4-way switch	5-way switch	6-way switch	7-way switch	8-way switch	9-way switch	10-way switch	11-way switch	12-way switch	13-way switch	14-way switch	15-way switch	16-way switch	17-way switch	18-way switch	19-way switch	20-way switch	21-way switch	22-way switch	23-way switch	24-way switch	25-way switch	26-way switch	27-way switch	28-way switch	29-way switch	30-way switch	31-way switch	32-way switch	33-way switch	34-way switch	35-way switch	36-way switch	37-way switch	38-way switch	39-way switch	40-way switch	41-way switch	42-way switch	43-way switch	44-way switch	45-way switch	46-way switch	47-way switch	48-way switch	49-way switch	50-way switch
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Floor - Ground Floor - House Mills