



Application Number: LU/11897

Our File Reference Number: Erf 5448, Stellenbosch

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL:

Sir / Madam

**APPLICATION FOR A DEPARTURE AND PERMISSION TO RELAX THE RESTRICTIVE TITLE DEED CONDITION:
ERF 5448, 21 BLENHEIM STREET, DIE BOORD, STELLENBOSCH**

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 Administrator's permission in terms of the title deed condition C.6.(b). as contained in the deed of transfer no. T. 60973/2011 in order to accommodate the proposed double garage on 0m street building line in lieu of 4,6m on Erf 5448, Stellenbosch.
 - 2.2 Departure in terms of Section 15(2)(b) of the Stellenbosch Municipality Land Use Planning By-Law, 2015 to relax the street and common building lines from 4m and 2,5m respectively to 0m on Erf 5448, Stellenbosch in order to accommodate the proposed double garage and to convert the existing store room into a bedroom as indicated on Drawing No. gg/20/07/54, dated August 2020 and drawn by Shafiek Biscombe Architectural Services.

BE APPROVED in terms of Section 60 of the said bylaw, subject to conditions in terms of Section 66 of the said Bylaw.
3. **Conditions of approval:**
 - (a) The approval shall lapse if not acted upon within a period of five years from the date of final letter of approval.

(b) The approval shall be taken to cover only the departure applied for and shall not be construed as authority to depart from any other Council requirements or legal provisions;

(c) Building plans must be submitted to this Municipality for approval prior to any building work commencing on site.

4. **The reasons for the above decision are as follows:**

4.1 The proposed land is in line with the zoning of the property.

4.2 All other land use parameters will still be complied with.

4.3 The proposed departure would not negatively affect the aesthetic appearance of the structure, property or surrounding environment.

5. 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.

6. 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.

7. 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

8. 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.

9. 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>).

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

3/8/2021,
DATE:

COVERAGE CALCULATIONS	AREA
SITE AREA	1014 m ²
EXISTING DWELLING	367.47 m ²
NEW GARAGE	63.77 m ²
TOTAL	431.24 m ²
% COVERAGE	42.52 %

PLEASE DO NOT SCALE FROM DRAWINGS. SCALED DRAWINGS ARE FOR INFORMATION ONLY. REPORT ANY DISCREPANCIES IMMEDIATELY TO THE OFFICE. IN THE EVENT OF PLUMBING EXCEEDING A DEPTH OF 500mm, CONSULT A STRUCTURAL ENGINEER TO AVOID FUTURE STRUCTURAL DAMAGE. THE PROPERTY OF SHARPE DISCOMBE ARCHITECTURAL SERVICES. REPRODUCTION HEREOF IS PROHIBITED. COPYRIGHT IS HEREOF UPHOLD.

NOTES AND SPECIFICATIONS
 FOUNDATION (PART I)
 ALL FOUNDATIONS SHALL BE CONCRETE ON ALL EXISTING WALLS. 600 x 200 DEEP FOR ALL EXISTING WALLS. 600 x 200 DEEP FOR ALL EXISTING WALLS. 600 x 200 DEEP FOR ALL EXISTING WALLS. 300-350mm BELOW EXTERNAL GROUND LEVEL.

FLOORS (PART I)
 ALL FLOORS TO BE REINFORCED WITH 100mm TYPICAL TO HYDRIC REQUIREMENTS. ALL FLOORS TO BE REINFORCED WITH 100mm TYPICAL TO HYDRIC REQUIREMENTS. ALL FLOORS TO BE REINFORCED WITH 100mm TYPICAL TO HYDRIC REQUIREMENTS.

ROOF (PART I)
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CEILING (PART I)
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WINDOWS (PART I)
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STAIRS (PART I)
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BATHROOMS (PART I)
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KITCHENS (PART I)
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OTHER (PART I)
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FOR COUNCIL SUBMISSION

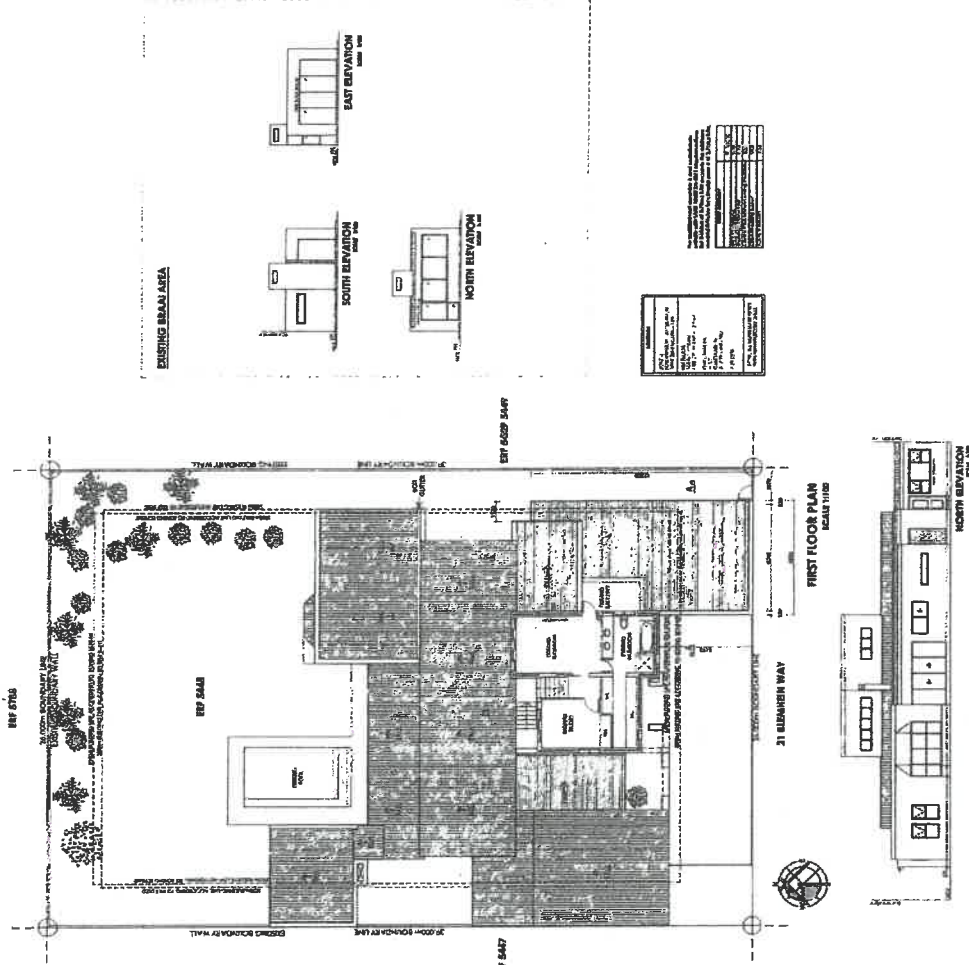
HOUSE MATTHEWS

SHARPE DISCOMBE ARCHITECTURAL SERVICES

Project: (Pp. 14, 1157)

PROJECT PROPOSED ADDITIONS AND ALTERATIONS ON ERF 544B, BLENHEIM STREET DIE BOORD STELLENBOSCH

DRAWN BY	F. BARNES
CHECKED BY	S. BLOOMER
SCALE	AS SHOWN
DATE	AUGUST 2020
DRAWING NO.	02/08/20/FS4



NO.	DESCRIPTION	DATE	BY	CHKD.
1	ISSUED FOR TENDERS	15/08/20	F. BARNES	S. BLOOMER
2	ISSUED FOR COUNCIL SUBMISSION	15/08/20	F. BARNES	S. BLOOMER
3	ISSUED FOR CONSTRUCTION	15/08/20	F. BARNES	S. BLOOMER
4	ISSUED FOR CONSTRUCTION	15/08/20	F. BARNES	S. BLOOMER
5	ISSUED FOR CONSTRUCTION	15/08/20	F. BARNES	S. BLOOMER
6	ISSUED FOR CONSTRUCTION	15/08/20	F. BARNES	S. BLOOMER
7	ISSUED FOR CONSTRUCTION	15/08/20	F. BARNES	S. BLOOMER
8	ISSUED FOR CONSTRUCTION	15/08/20	F. BARNES	S. BLOOMER
9	ISSUED FOR CONSTRUCTION	15/08/20	F. BARNES	S. BLOOMER
10	ISSUED FOR CONSTRUCTION	15/08/20	F. BARNES	S. BLOOMER