



STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/8343

Our File Reference Number: Erf 682, Franschhoek

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: hendrik@desseyn.co.za

Sir/Madam

APPLICATION FOR DEVIATION FROM THE PROVISIONS OF THE BY-LAW RELATING TO THE CONTROL OF BOUNDARY WALLS AND FENCES ON ERF 682, DE VILLIERS STREET, FRANSCHHOEK

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - (i) That **approval be granted** for a waiver in terms of Section 13 of the By Law Relating to the control of Boundary Walls and Fences, in order to deviate from Section 5 of the bylaw applicable to residential zoned properties to construct a 2,1m high solid street boundary wall, on Erf 682, Franschhoek, attached as drawing no: 201, dated 2018-08-09, drawn by CL, attached as **Appendix 3**, subject to the conditions contained in **Appendix 1**.
3. Kindly be advised that you may appeal to the Municipal Manager against the above Council decision (including any conditions imposed in case of approval) in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000 ("MSA"), and/or the internal appeal process approved by Council at its meeting held on 29 October 2014. In terms of the aforesaid Council decision, an applicant or objector aggrieved by a decision of Council in respect of an application, may appeal against such decision to the Municipal Manager.

4. A detailed motivated appeal with reasons therefore (and not only the intention to appeal), clearly stating in terms of which legislation it is made, as well as payment of the appeal fee, must be addressed to the Municipal Manager and submitted to his / her designated official by means of E-mail at the following address: Lenacia.Kamineth@stellenbosch.gov.za within 21 days from the date of this notification letter, provided where the last day for lodging an appeal falls either on a Saturday, Sunday or public holiday, it shall be deemed to be the next working day thereafter.
5. An applicant 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.
6. 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>).
7. Kindly be advised that objectors (if any) are granted a simultaneous right of appeal in terms of the internal appeal process approved by Council at its meeting held on 29 October 2014.
8. Please note, appellants are not permitted to canvass the Municipal Manager or members of Council before or after the matter is heard.

Yours faithfully



FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

18/1/2021
DATE:

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Department: Planning and Economic Development

APPENDIX 1
FILE NO: FH 682

In this approval document:

"Council" means the Stellenbosch Municipality

"the owner" means the registered owner of the property.

"the site" means ERF NO. 682, FRANSCHHOEK.

"scheme regulation" has the meaning assigned thereto by the Land Use Planning Ordinance (15 of 1985).

EXTENT OF APPROVAL: A waiver in terms of Section 13 of the By Law Relating to Control of Boundary Walls and Fences, in order to deviate from Section 5 of the by-law applicable to residential zoned properties to construct a 2,1m high solid street boundary wall, on Erf 682, Franschhoek, attached drawing no. 201, dated 2018-08-09, drawn by CL, attached as **Appendix 3**.

CONDITIONS IMPOSED:

1. The approval applies only to the application for the waiver from the subject by-law in question and shall not be construed as authority to depart from any other legal prescription or requirements from council.
2. Building plans must be submitted to this municipality for approval, prior to any building work commencing onsite;
3. That the approval for the waiver shall lapse if not exercised within 1 year from date of final notification.

RECOMMENDED BY:



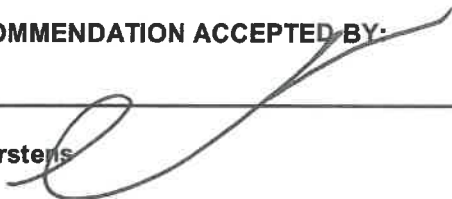
17/11/20

S. Zangqa

Date

TOWN PLANNER

RECOMMENDATION ACCEPTED BY:



3/12/2020

S. Carstens

Date

SENIOR MANAGER: LAND USE MANAGEMENT

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Appendix 3

Proposed Site Development Plan

