



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/13669

Our File Reference Number: Erf 6967, Stellenbosch

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 IN TERMS OF SECTION 15(2)(g) & 15(2)(b) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW, 2015 FOR A PERMISSION IN TERMS OF THE ZONING SCHEME TO ALLOW AN ADDITIONAL USE (TECHNICAL APPROVAL) AND DEPARTURE ON ERF 6967, CLOETESVILLE, STELLENBOSCH

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)(g) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 for permission in terms of the zoning scheme to allow an additional use (technical approval) for the construction of a second dwelling unit on Erf 6967, Hine Street, Cloetesville – Stellenbosch.
 - 2.2 That the application in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 for a departure to relax the common building lines (adjacent to Erf 6971 & Erf 6966) from 2,5m to 1m to accommodate the proposed second dwelling unit on the property.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.

2.3 The approval is subject to the following conditions imposed in terms of Section 66 of said Bylaw:

- 2.3.1 The approval only applies to the application under consideration, as indicated on Drawing No. 2021/13/01, drawn by: D Lakey Draughting Services, dated: April 2022, attached as **Annexure B**, 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.

2.3.2 Building plans must be generally in accordance with the site plan and floor layout plan as indicated on Drawing No. 2021/13/01, Drawn by: D Lakey Draughting Services, Dated April 2022, and attached as **Annexure B**.

2.3.3 Sufficient on-site parking must be provided in accordance with the provisions of the Zoning Scheme Bylaw as illustrated on the site plan to the satisfaction of the Municipality.

2.3.4 The conditions imposed by the Manager; Electrical Services as contained in their Memo dated 23 May 2022, and attached as **Annexure D**

2.4 The reasons for the above decision are as follows:

2.4.1 The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape.

2.4.2 The proposal will result in a sensible increase in density which will have minimal impact on the amenities of the adjoining property owners.

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

23/11/2022
DATE:

ANNEXURE B: SITE PLAN

ALLE TEKENING EN AFMETINGEN NIET INBESTEEN EN VERBODEN WORD VORM MATERIAAL BESTEL EN ENKE BRONNER BEZIN WORD, VERSLELLE NIET DUBBELT ONDER ODE AANDE VAN ARCHITECT GEBOUWEN WORD. KOPPIERS WORD VOORBEREID OP ALLE TEKENINGEN EN WITTEPAP.

ALL DIMENSIONS AND DIMENSIONS MUST BE CORRELATED BEFORE ANY MATERIALS ARE ORDERED OR BUILDING WORK COMMENCES. ANY DIFFERENCES MUST BE BROUGHT UNDER THE ATTENTION OF THE ARCHITECT IMMEDIATELY. COPY-RIGHT IS RESERVED ON ALL DRAWINGS ADDRESSING REVISIONS:

DEVELOPMENT DATA:

SITE AREA	502sqm
EXISTING MAIN DWELLING	101sqm
NEW SECOND DWELLING	83sqm
OVERALL TOTAL	184sqm
COVERAGE PER SQM	20%
EXISTING COVERAGE	17%
TOTAL COVERAGE	37%

D LAKEY
DRAUGHTING SERVICES

SACAP NO. D2280

PROJECT / PROJECT
NEW SECOND DWELLING FOR MRS. LAYAN MEXERK
ERF 6867, NO.23 HINE STREET
CLOETENSVILLE, STELLENBOSCH

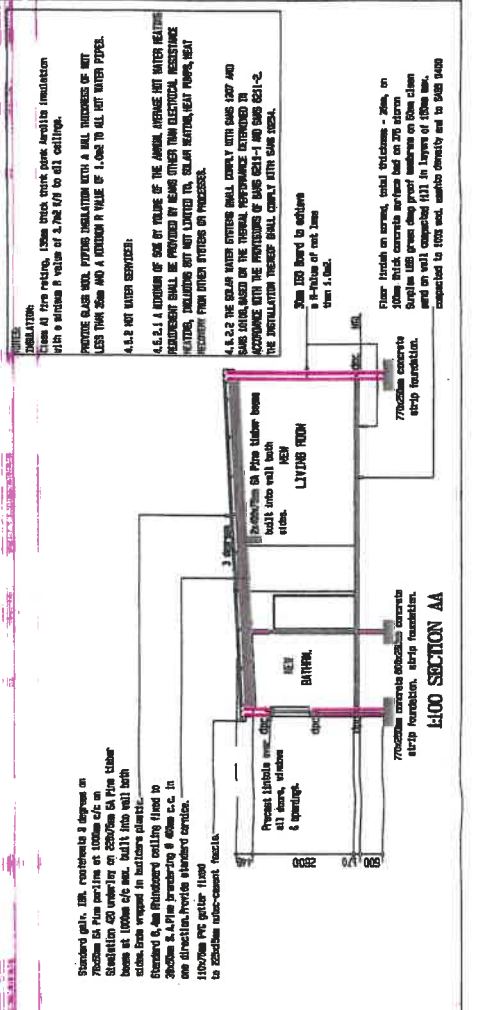
TOWN / MUNICIPAL DRAWINGS
ELEVATIONS SECTION

DESIGNED	REV.	TEKENING Nr.
D. LAKEY	A	2024/13/01
SCALE	DATE	CHECKED
AS SHOWN	APRIL, 2024	TRIMED

NO.	DESCRIPTION	DATE
N1	STANDARD ALUMINUM TOP HUNG WINDOW AS BY ALUMINUM SPECIALIST.	
N2	STANDARD ALUMINUM TOP HUNG WINDOW AS BY ALUMINUM SPECIALIST.	
N3	STANDARD ALUMINUM TOP HUNG WINDOW AS BY ALUMINUM SPECIALIST.	
N4	STANDARD ALUMINUM TOP HUNG WINDOW AS BY ALUMINUM SPECIALIST.	
N5	STANDARD ALUMINUM TOP HUNG WINDOW AS BY ALUMINUM SPECIALIST.	

NO.	DESCRIPTION	DATE
01	STANDARD ALUMINUM TOP HUNG WINDOW AS BY ALUMINUM SPECIALIST.	
02	STANDARD ALUMINUM TOP HUNG WINDOW AS BY ALUMINUM SPECIALIST.	
03	STANDARD ALUMINUM TOP HUNG WINDOW AS BY ALUMINUM SPECIALIST.	

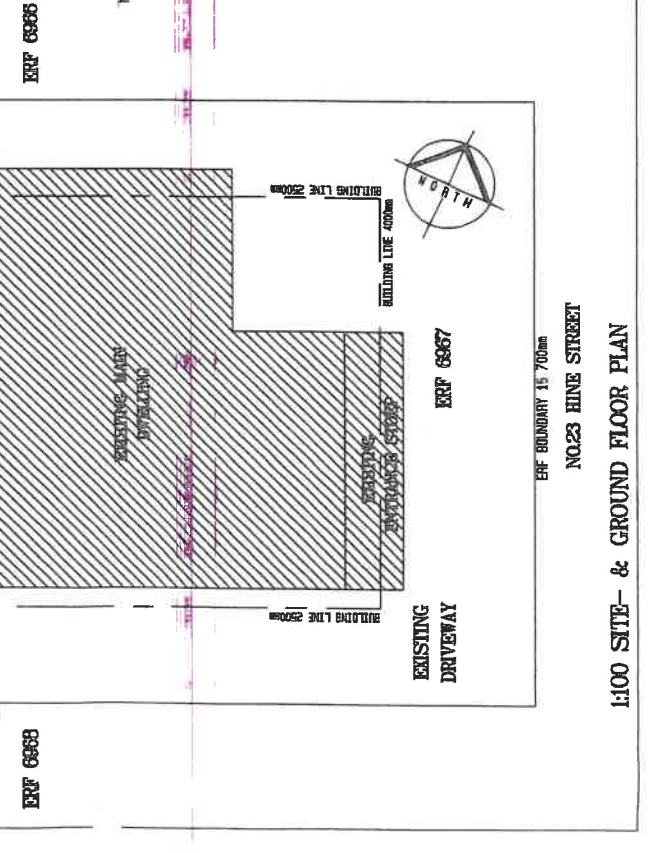
1:100 NORTH ELEVATION
1:100 SOUTH ELEVATION
1:100 WEST ELEVATION
1:100 EAST ELEVATION



REVISIONS:

NO.	DESCRIPTION	DATE
1	STANDARD ALUMINUM TOP HUNG WINDOW AS BY ALUMINUM SPECIALIST.	
2	STANDARD ALUMINUM TOP HUNG WINDOW AS BY ALUMINUM SPECIALIST.	
3	STANDARD ALUMINUM TOP HUNG WINDOW AS BY ALUMINUM SPECIALIST.	

1:100 NORTH ELEVATION
1:100 SOUTH ELEVATION
1:100 WEST ELEVATION
1:100 EAST ELEVATION



ANNEXURE D: COMMENT FROM THE DIRECTOR: ENGINEERING SERVICES

GENERAL COMMENT: ERF 6967

No Comment

All electrical work to comply to SANS 142 and Municipal By-Laws

CONDITIONS:

1. Electricity Supply to new Additional Dwelling should be fed from the main Distribution Board, which is situated outside the main building.
2. If the current electricity supply is not adequate, an application for an increase in electricity supply must be submitted to Stellenbosch Municipality: Electrical Engineering Services.
3.
All new developments and upgrades of supplies to existing projects are subject to **SANS 10400-XA** energy savings and efficiency implementations such as:
 - Solar water Heating or Heat Pumps in Dwellings
 - Energy efficient lighting systems
 - Roof insulation with right R-value calculations .
 - In large building developments;
 - Control Air condition equipment tied to alternative efficiency systems
 - Preheat at least 50% of hotwater with alternative energy saving source
 - All hot water pipes to be clad with insulation with R-value of 1
4. -Provide a professional engineer's certificate to proof that energy saving measures is not feasible.
5. Appropriate caution shall be taken during construction, to prevent damage to existing electrical equipment in the vicinity. Should damage occur, the applicant will be liable for the cost involved repairing damages?



Date 29/8/2022