



Application Number: LU/12778

Our File Reference Number: Erf 7050, 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 FOR DEPARTURE IN ORDER TO ALLOW THE CONSTRUCTION OF NEW ADDITIONS TO A DWELLING UNIT ON ERF 7050, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - (a) The application is made in terms of section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law, August 2015 for a departure to relax the street building line from **1m** to **0m** for a garage; the common building line (adjacent to Erf 7049) from **2.5m** to **1.1m** for the purpose of a braai area; the common building line (adjacent to Erf 7059) from **2.5m** to **0m** for the purpose of a cover roof; and a departure to relax the permissible coverage from **50%** to **64%** to allow for the new additions, as indicated on Drawing No. 2021/01/01, drawn by D Lakey Draughting Services, dated January 2021:

BE APPROVED in terms of section 60 of the said Bylaw and subject to the following conditions of approval in terms of section 66 of the said Bylaw:

3. Conditions:
 - a) The approval applies only to the departure in question and shall not construed as authority to depart from any other legal prescriptions or requirements from council.

- c) That no run-off (rain water) from the proposed structures be channelled onto the abutting properties.
- d) Building plans must be submitted to the Municipality for approval prior to any building work commencing on site.

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

- a) The proposal will have no detrimental impact on the character of the existing area as it is in keeping with the current land use of the subject property.
- b) The proposal is a logical extension of the residential activity and will add value to the existing building.

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

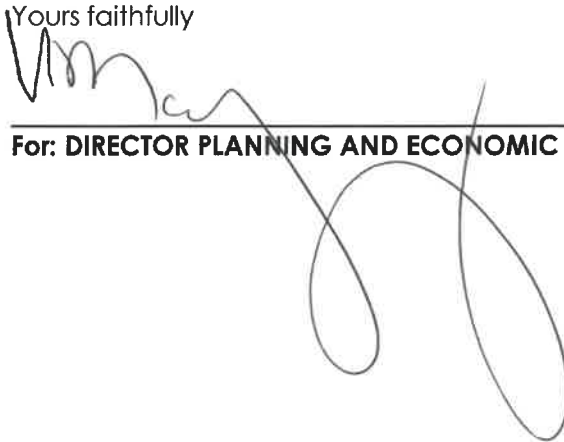
8. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference 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

21/9/21

DATE:

ANNEXURE C

Site Development Plan

ALL THROUGH EXISTING REET INSURER OR
 CORRECTLY INTO YOUR MATERIAL TESTED BY BRIDE
 CONTRACTOR AND, VERMONT STATE INSURANCE COMMISSION
 ONE HANDED BY THE INSURER WHEN COPIES
 WITH VERIFICATION OF ALL THROUGH EXISTING
 ALL CHANGES AND DIMENSIONS MUST BE CORRELATED
 BEFORE ANY MATERIALS ARE ORDERED OR BUILDER WORK
 COMMENCES. ANY DISCREPANCIES MUST BE REPORTED UNDER
 THE CONTRACT IMMEDIATELY. COPY-
 RIGHT IS RESERVED BY ALL DRAWING AUTHORITIES

3/2/2021
 7049
 12/21
 3/2/2021
 7049
 3/2/2021
 7029

J. Daniels
 3/2/2021
 7028

3/2/2021
 7059

DEVELOPMENT DATA:
 SITE AREA 800.03sqft
 EXISTING DWELLING 3655SQFT
 NEW ADDITIONS 4500SQFT
 TOTAL 8155SQFT
 COVERAGE SRM 30%sqft
 NEW COVERAGE 64%

D LAKEY
 ARCHITECTURE
 100 W. MAIN ST. SUITE 100
 ST. ALBANS, VT 05478
 TEL: (802) 249-1111
 FAX: (802) 249-1112
 3/2/2021

SACAP NO. 2280
 NEW ADDITIONS
 4500 SQ. FT.

ST. ALBANS
 ST. ALBANS
 ST. ALBANS

MUNICIPAL DRAWINGS
 PLANS
 ELEVATIONS
 WINDOW & DOOR SCHEDULES

TENDING IN:
 DRAWING NO.
 2021/01/01
 D. LAKEY
 SCALE
 AS SHOWN
 DATE
 JAN. 2021
 CHECKED
 DRAWN

