



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/11540

Our File Reference Number: Erf 7084, Stellenbosch

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: papiso@gmail.com

Sir / Madam

APPLICATION FOR A PERMANENT DEPARTURE: ERF 7084, 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 for a departure on Erf 7084, Stellenbosch in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 in order to:
 - (a) relax the street building line from 4m to 1m for an entertainment area,
 - (b) relax the street building line from 4m to 1.5m for a patio and a bedroom,
 - (c) relax the side building line from 2.5m to 1m for a kitchen, bathroom and bedrooms on Erf 7084, Stellenbosch as indicated on drawing number 236_1.01, drawn by Papiso Nkopane, dated 16 March 2020 (see **Annexure A**).

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

- (a) The approval shall lapse if not acted upon within a period of five years from the date 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.

2.2 The Reasons for the above decisions are as follows:


- (a) The proposed departure would not negatively affect the aesthetic appearance of the structure, property or surrounding environment.
 - (b) The proposed location is the most practical space to build the proposed dwelling due to the slope of the property.
 - (c) 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.
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: Lenacia.Kamineth@stellenbosch.gov.za
6. 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.
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

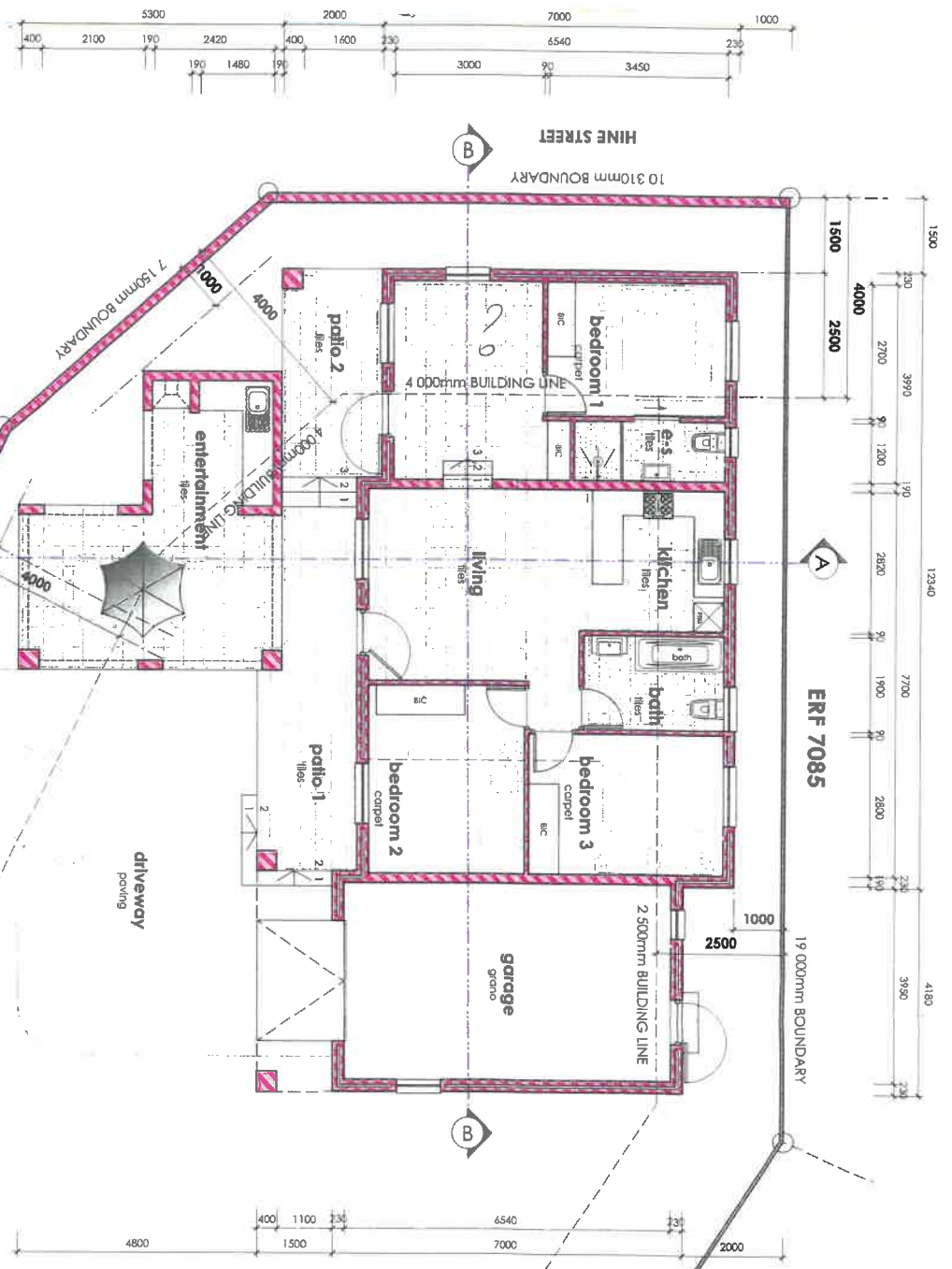


FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

21/1/2021
DATE: _____

ANNEXURE B

SITE DEVELOPMENT PLAN



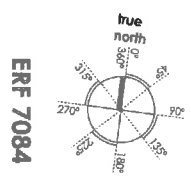
AREAS:	
New Development:	119,85m ²
Main dwelling:	28,67m ²
Covered Patio 3:	25,05m ²
Entertainment area:	173,77m ²
TOTAL:	173,77m²
SITE COVERAGE:	401,50m ²
	173,77m ²
	28,89%

ADJACENT OWNER SIGNATURE:

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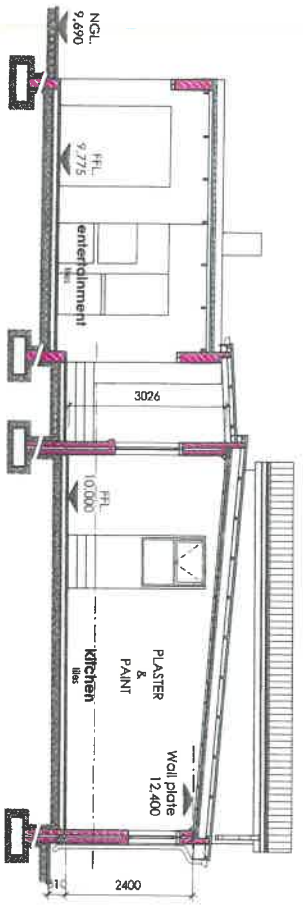
1 GROUND FLOOR PLAN
Scale: 1:100

Proposed new residential dwelling on erf 7084 for Mr. S. Solomon

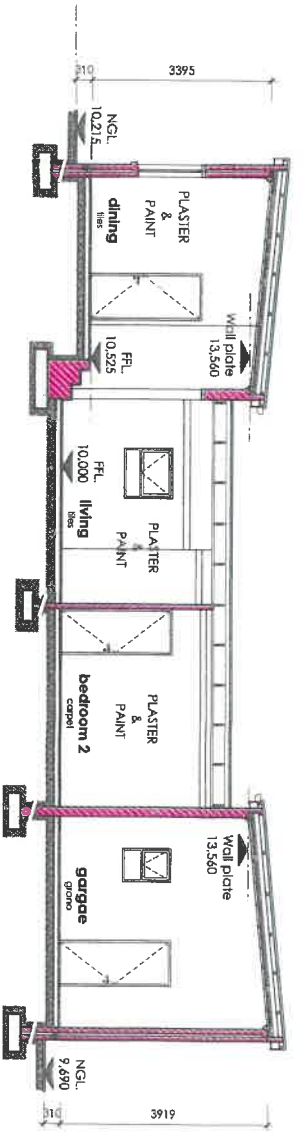
IN

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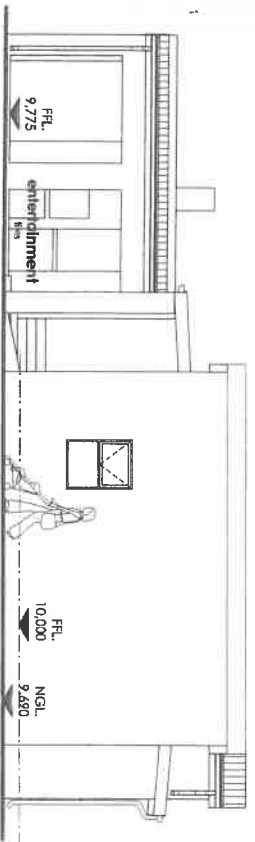
DRAWING No: 236_1.01
DATE: 14 MARCH 2020



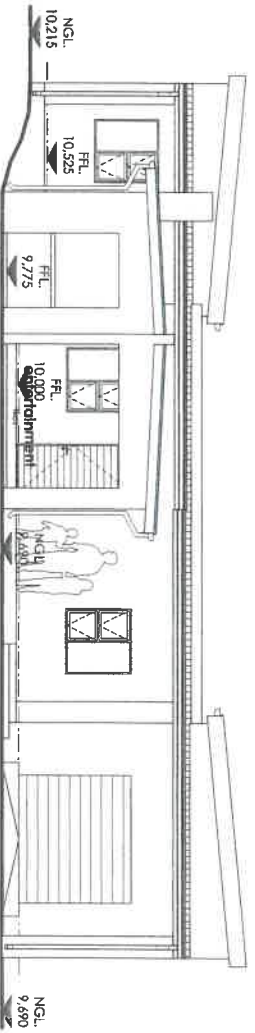
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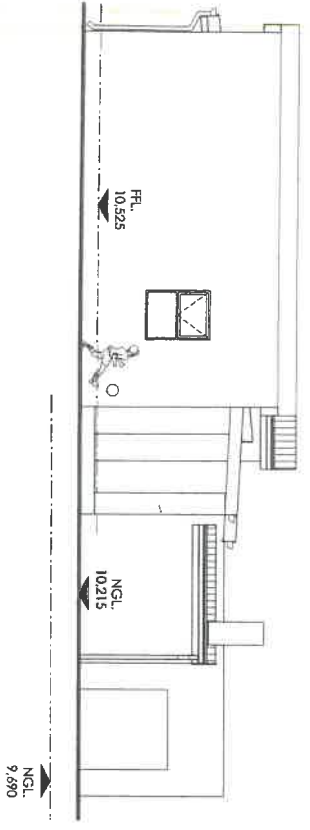
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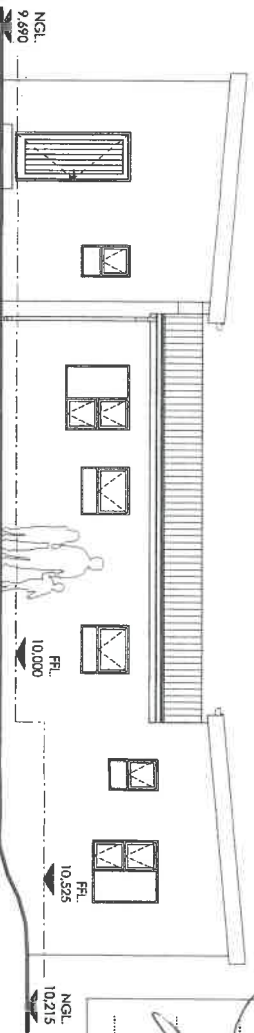
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5 WEST ELEVATION
Scale: 1:100



6 NORTH ELEVATION
Scale: 1:100

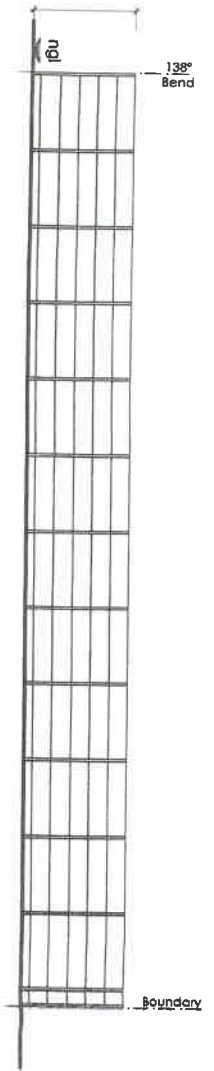


7 EAST ELEVATION
Scale: 1:100

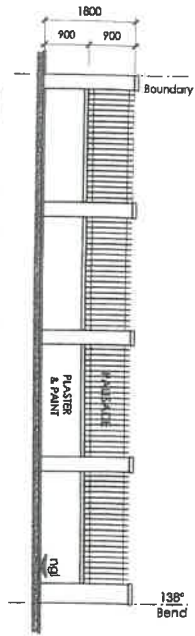
ADJACENT OWNER SIGNATURE:


proposed new residential dwelling
 on erf 7084 for Mr. S. Solomon

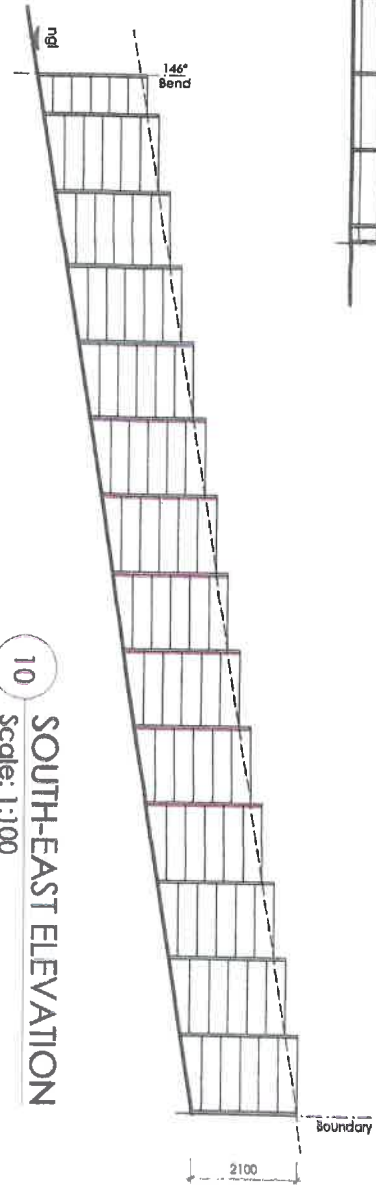
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 DRAWING No: 236_1.02
 DATE: 14 MARCH 2020



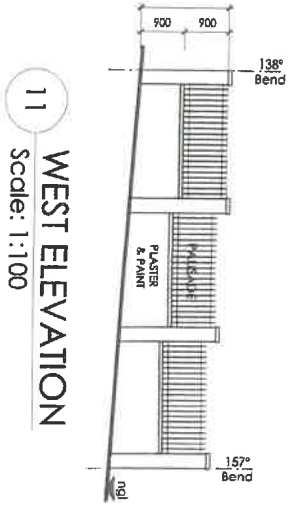
8 EAST ELEVATION
Scale: 1:100



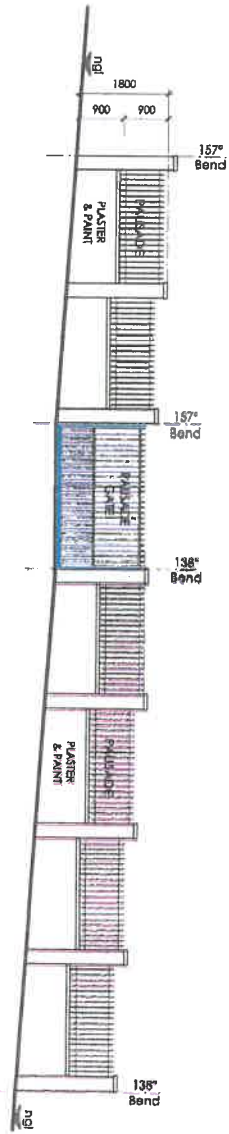
9 NORTH ELEVATION
Scale: 1:100



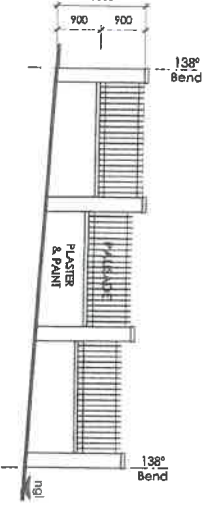
10 SOUTH-EAST ELEVATION
Scale: 1:100



11 WEST ELEVATION
Scale: 1:100



13 SOUTH ELEVATION
Scale: 1:100



12 SOUTH-WEST ELEVATION
Scale: 1:100

proposed new residential dwelling
on erf 7084 for Mr. S. Solomon



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DRAWING NO: 236_1.03
DATE: 16 MARCH 2020