



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15887 (TP395/2023)

Our File Reference Number: Erf 7668, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: [Ulrich.Vonmolendorff@stellenbosch.gov.za](mailto:Ulrich.Vonmolendorff@stellenbosch.gov.za)

**PER E-MAIL:** [REDACTED]

Sir / Madam

## **APPLICATION FOR PERMANENT DEPARTURE ON ERF 7668, STELLENBOSCH**

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows.
3. That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning By-Law, 2023 on Erf 7668, Stellenbosch:

3.1 That the application for permanent departure in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-law 2015 in order to increase the permissible coverage from **70%** to **76.2%** to permit the construction of a garage on Erf 7668, Stellenbosch.

**BE APPROVED** in terms of Section 60 of the said By-Law and subject to conditions of approval.

4. The approval is subject to the following **conditions** imposed in terms of Section 66 of the said Bylaw:
  - 4.1 The approval only applies to the proposed departure under consideration 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.

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4.2 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.

4.3 Building plans must be generally in accordance with the site plan / floor layout plan as referenced Erf 7668, Stellenbosch, drawn by J.P. du Toit, dated 12/04/2023 attached as **Annexure B**.

4.4 Compliance with the conditions contained in memorandum dated 05 October 2023 and attached as **Annexure D** from Infrastructure Services Directorate: Water and Sewer.

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

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

6. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw 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.

7. 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:

7.1 The personal particulars of the Appellant, including:

- a) First names and surname
- b) ID number
- c) Company of Legal person's name (if applicable)
- d) Physical Address
- e) Contact details, including a Cell number and E-Mail address

7.2 Reference to this correspondence and the relevant property details on which the appeal is submitted.

7.3 The grounds of the appeal which may include the following grounds:

- a) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)

- b) 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.

7.4 Whether the appeal is lodged against the whole decision or a part of the decision.

7.5 If the appeal is lodged against a part of the decision, a description of the part.

7.6 If the appeal is lodged against a condition of approval, a description of the condition.

7.7 The factual or legal findings that the appellant relies on.

7.8 The relief sought by the appellant.

7.9 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.

7.10 That the appeal includes the following declaration by the Appellant:

- a) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
- b) 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.

- 8. 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](mailto:landuse.appeals@stellenbosch.gov.za)
- 9. 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.
- 10. The approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at [landuse.appeals@stellenbosch.gov.za](mailto:landuse.appeals@stellenbosch.gov.za)
- 11. An applicant who lodges 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.

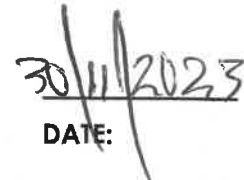
- (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
- (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.

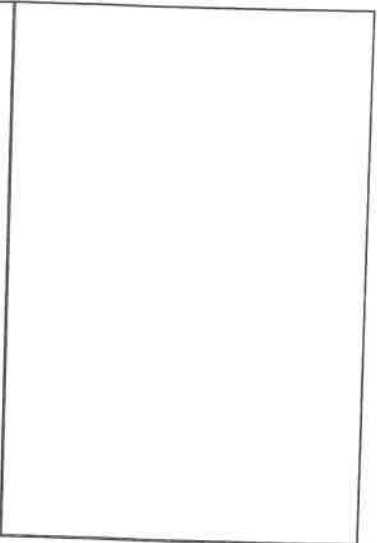
12. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

13. Kindly note the above decision in the case of any approval, is suspended, and 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.

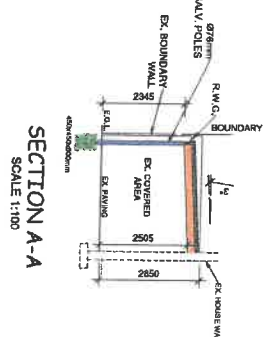
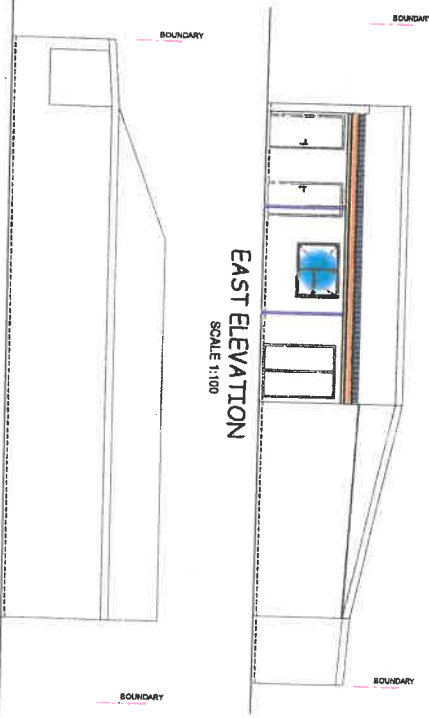
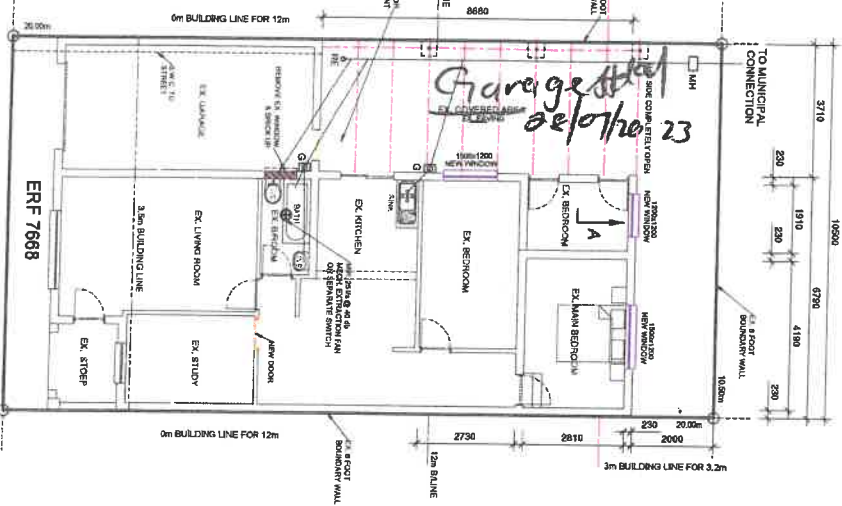
Yours faithfully

  
\_\_\_\_\_  
**FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT**

  
**DATE:**



**SITE & FLOOR PLAN**  
SCALE 1:100



DWELLING COVERAGE: 78%

AREAS:	
EX. MAIN HOUSE	: 128m <sup>2</sup>
NEW COVERED AREA	: 32.2m <sup>2</sup>
<b>TOTAL</b>	<b>: 160.2m<sup>2</sup></b>
ERF	: 210m <sup>2</sup>

**SPECIFICATIONS:**

ALL WORK TO COMPLY WITH LOCAL MUNICIPAL REGULATIONS.  
ALL WORK TO COMPLY WITH LATEST N.B.R. STANDARDS.  
READ FIGURED DIMENSIONS IN PREFERENCE TO SCALES.  
ALL LEVELS AND DIMENSIONS TO BE FINALLY CHECKED BY CONTRACTOR ON SITE ANY QUERIES ARE TO BE REFERRED TO DRAWINGS PREPARED ON BASIS OF SURFACE EXAMINATION ON SITE.  
200mm MAX. BRICK CANTY WALLS ABOVE W/H. BUILD IN PRECAST CONCRETE LAYER ABOVE W/H. OPERINGS AS PER MANUFACTURER INSTRUCTIONS.  
2 FINISHED COATS PLASTERED, PAINTED (1 UNDERCOAT & 1 FINISHED COAT). PLASTERED, PAINTED (1 UNDERCOAT & 2 FINISHED COATS).  
CEILING: INTERMEDIATE ROUND ALL WINDOWS, BUILD UP STAFFED AND KEPT CANTY CLEAR.  
MIN. 2.5 TIE WIRTS PER M<sup>2</sup> FOR WALLS EXCEEDING.  
SILLS - INTERNALLY PLASTERED.  
EXTERNALLY - PLASTERED, PAINTED.  
ALL BUILDING RUBBLE WILL BE REMOVED BY BUILDER.  
FOUNDATIONS & FLOORING  
CONTRACTOR SHALL TAKE FOUNDATIONS TO DEPTH SUITABLE TO NATURE OF SOIL.  
DOORS -  
EXTERNAL - ALL DOORS MERCHANT FLSAB, SAWNED & INTERIOR - 2 COATS VARNISH WITH LOCKS & HANDLES  
DOORFRAMES - 2 COATS VARNISH WITH LOCKS & HANDLES  
EXTERNAL - WOODEN FRAMES WITH SILLS SAWNED & INTERIOR - 2 COATS VARNISH.  
INTERNAL - WOODEN FRAMES WITH SILLS SAWNED & 2 COATS VARNISH.

**ROOF CONSTRUCTION (SECTION A-A)**  
CONCRETE SHELTER ON 75x50 PURLINS @ 500 c/c ON 200x50 RAFTERS @ 750 c/c ON 50x50 CALK. POSTS. OVERSIDING TO BE BRICKED UP TO 1000mm TRUSS HANGERS 22x50x50 BEAVER BEAM ROOF PITCH 5°  
DRAINAGE:  
ALL WORK TO COMPLY WITH LOCAL MUNICIPAL REGULATIONS.  
ALL FINISHES & SPRINGS TO BE MIN. 400mm BELOW ALL BEAMS AND JUNCTIONS IN DRAIN TO BE FITTED WITH I.E.T & MARKED COVERS AT GROUND LEVEL.  
ALL WASTE FITTINGS TO HAVE TRAPS AND TO BE FULLY ACCESSIBLE.  
WORKMANS WC TO BE CONNECTED TO SEWER.  
UPVC BUTTERS FIXED TO 20x200mm HUNGEE BARGE BOARDS BY 30mm x 10mm NIP AND PRING UNDER GROUND TO DISCHARGE ALL ELECTRICAL WORK TO BE CARRIED OUT BY A REGISTERED ELECTRICIAN.

**ALTERATIONS & ADDITIONS**  
ERF NO. 7688  
26 Chippendale Road  
Cloetessville, Stellenbosch



Drawn: [Redacted]  
Date: 12/04/2023  
Ph: [Redacted]  
ERF NO. 7688  
26 Chippendale Road  
Cloetessville, Stellenbosch

Drawn: [Redacted]  
Date: 12/04/2023  
Ph: [Redacted]  
ERF NO. 7688



**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

## **ANNEXURE D**

COMMENT FROM THE DIRECTORATE: INFRASTRUCTURE  
SERVICES



**STELLENBOSCH MUNICIPALITY**  
STELLENBOSCH · PNIEL · FRANSCHHOEK

# MEMORANDUM

**DIREKTORAAT: INFRASTRUKTUURDIENSTE**  
**DIRECTORATE: INFRASTRUCTURE SERVICES**

**CIVIL ENGINEERING SERVICES**

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**To ▫ Aan:** Director: Planning + Economic Development  
**Att Aandag:** Nolusindiso Momoti  
**From ▫ Van:** Principal Technician: Development (Infrastructure Services)  
**Author ▫ Skrywer:** Kurt Titus  
**Date ▫ Datum:** 05 October 2023  
**Our Ref ▫ Ons Verw:** Civil LU 2573  
**Town Planning Ref:** LU/11809  
**Re ▫ Insake:** Erf 7668, Stellenbosch: Application for permanent departure in terms of section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-law, 2023 to increase the permissible coverage from 70% to 76.2% to permit the construction of a garage on Erf 7668, Stellenbosch.

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The application is **recommended** for approval, subject to the following conditions:

**1. Civil Engineering services**

**Water and Sewer**

No municipal water and sewer services are affected, however at the building plan submission stage the location of the water meter must be indicated on the layout plan.

*K Titus*

**Kurt Titus**  
**Principal Technician: Development (Infrastructure Services)**

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