



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14867

Our File Reference Number: Erf 8383, 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 A CONSENT USE AND DEPARTURE ON ERF 8383, STELLENBOSCH

1. The above application refers. This letter replaces my letter dated 27 June 2023; in that it addresses the correct building line.
2. The duly authorised decision maker hereby decides 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 Bylaw, promulgated by notice number 354/2015, dated 20 October 2015 on Erf 8383, Stellenbosch namely:
 - 3.1 The Consent Use in terms of Section 15(2)(o) of the said Bylaw for an additional use that exceeds parameters to construct a second dwelling unit that exceeds building lines.
 - 3.2 A departure in terms of Section 15(2)(b) of the said Bylaw for the following:
 - 3.2.1 To relax the common building line from 2,5m to 1m (adjacent to Erf 8384) in order to accommodate the proposed second dwelling unit.
 - 3.2.2 To exceed the permissible boundary wall height restriction on the street front from 1,8m to 2m.
 - 3.2.3 To deviate from the 50% transparency in order to have a solid street boundary wall.

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

4. Conditions of approval

- 4.1 The approval applies only to the Consent Use & departure in question as indicated on the referenced (S1-S3, revision 15) building plan, attached as **Annexure C** 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.
- 4.2 The development must be undertaken generally in accordance with the building plan as referenced (S1-S3, revision 15, dated 15 March 2023 and drawn by Beatrice Eybers Architecture) and attached as **Annexure C**.

5. Matters to be noted

- 5.1 There is an existing municipal storm water catch-pit in front of the proposed second driveway and the owner will be responsible for all alteration costs to municipal and third-party infrastructure services, where needed.
- 5.2 All electrical work must comply with SANS142 and municipal electrical by-laws.
- 5.3 If connecting a generator for back-up, the generator must comply with SANS10142.
- 5.4 The owner of the property will be liable for all the costs involved for repairing any damages that might occur to service cables and electric equipment in the vicinity.

6. The reasons for the above decision are as follows:

- 6.1 The proposed application would not negatively affect the aesthetic appearance of the property or surrounding environment and the primary use of the property will still remain residential.
 - 6.2 The proposed second dwelling will be in line with the vision of the Stellenbosch Municipal Spatial Development Framework as second dwellings promote infill development and densification.
 - 6.3 Sufficient on-site parking has been provided.
 - 6.4 The proposed solid street boundary wall will not affect any sight distances or the aesthetic appearance of the property or area.
7. 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.

8. 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:

8.1. 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

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

8.3 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.

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

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

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

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

8.8 The relief sought by the appellant.

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

8.10 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.

9. 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.
10. 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.
11. 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.
12. 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.
13. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
14. 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

28/6/2027
DATE:

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Annexure C: Site Plan

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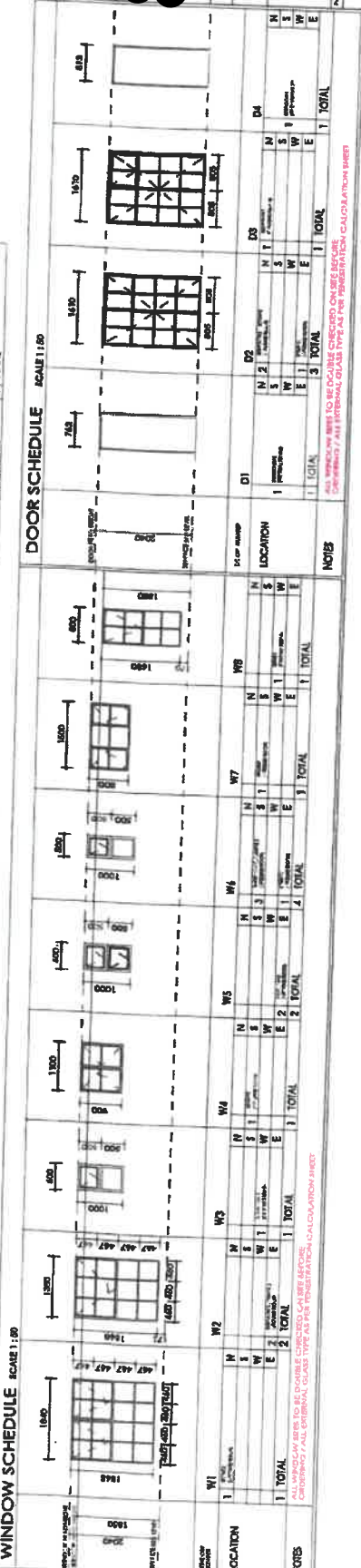
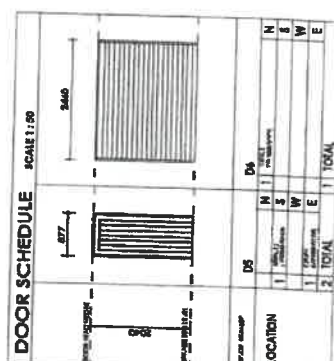


CALCULATIONS			
DISBURSE DOLLARS	DISBURSE DOLLARS	DISBURSE DOLLARS	TOTAL
	EST. 100%	ACTUAL 100%	
DISBURSE DISPER INTO	2,100 ⁰⁰		
NEW ACQUISITIONS		37,000 ⁰⁰	
NEW GRANTS		24,000 ⁰⁰	101,000 ⁰⁰
NEW SUPPORT		24,750 ⁰⁰	
NEW PUBLICA			
TOTAL	24,100 ⁰⁰		226,750 ⁰⁰

AREA OF STUDY			
CONSUME	ALLIANCE 10	ACTUAL 10	ESTIM 10
	EST	100,000 ⁰⁰	37,000 ⁰⁰
P. 4. L	5.0		
CONSUME			

AMBA INTERNATIONAL
SOLUTIONS
FOR MORE
SOLUTIONS



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ALL ENERGY EFFICIENCY CALCULATIONS
 & SET BACKS IN BUILDINGS TO COMPLY
 WITH THE ENERGY CODE & SAVE 100000 PA. PER
 HOUSE FOR THE ENTIRE PROJECT.
 TOTAL OF 1200 HOUSES TO BE BUILT
 UNDER THE ENERGY CODE & SAVE 100000 PA. PER
 HOUSE FOR THE ENTIRE PROJECT.

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