



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/9167

Our File Reference Number: Erf 8446, Stellenbosch

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: dabouplanne@gmail.com

Sir

APPLICATION FOR TEMPORARY DEPARTURE FOR A HOUSE SHOP ON ERF 8446, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:

That the application in terms of the Stellenbosch Municipality Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015 on Erf 8446, Stellenbosch as indicated on the site plan no. 12062018105 dated 12 December 2018 and drawn by Daniel Arnolds.

BE APPROVED in terms of Section 60 of the said Bylaw for the following reasons:

- a) The house shop will not have a detrimental impact on the area as there will not be any alterations or additions to the existing building;
- b) The proposed activity is low key and provides essential service to the surrounding community.
- c) There's ample parking area in front of the existing dwelling.

That such approval **BE SUBJECT** to the following conditions in terms of Section 66 of the said Bylaw:

- (i) The approval applies only to the temporary departure in question as indicated on drawing no. 12062018105 dated 12 December 2018 and drawn by Daniel

Arnolds.(See **ANNEXURE C**) and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;

- (ii) The dominant use of the property shall remain residential;
- (iii) The residential character and façade of the dwelling house shall not be altered;
- (iv) The temporary departure is only valid for 5 years from date of the final notification
- (v) The house shop must have sufficient ventilation;
- (vi) All sewage/wastewater must be disposed of in such a manner that it does not create a health nuisance. Must be connected to the existing municipal sewage system, toilet facilities with hand washing facilities must be provided;
- (vii) The applicant must apply for a R962 certificate of acceptability at the Environmental Health Offices of the Cape Winelands District Municipality;
- (viii) The applicant must provide a fire extinguisher for the house shop
- (ix) A maximum of one employee, including the owner of the dwelling or residing family member, shall be employed in the house shop at any one time;
- (x) The operation of video games or pinball tables is not permitted on the premises;
- (xi) The Municipality reserves the right to withdraw the approval for the house shop should the conditions of approval not be complied with or in the event of the business creating a disturbance or nuisance to the adjacent property owners. The Municipality shall not be held responsible for any costs incurred by the applicant.

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:

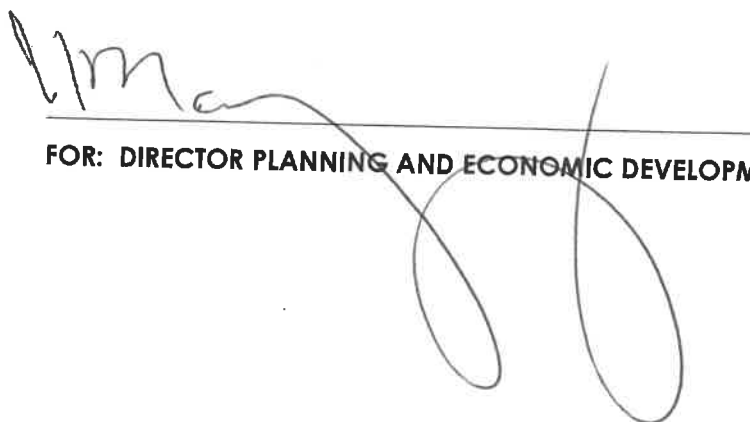
- (I) First names and surname;
- (II) ID number;
- (III) Company of Legal person's name (if applicable)
- (IV) Physical Address;
- (V) Contact details, including a Cell number and E-Mail address;

(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. 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

21/3/2021,
DATE

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GENERAL NOTES:
 THIS DRAWING IS THE COPYRIGHT OF THE DESIGNER ONLY. DIMENSIONS AND LEVELS ARE TO BE CHECKED ON SITE PRIOR TO SETTING OUT.
 ALL BUILDING WORK TO COMPLY WITH LOCAL MUNICIPAL STANDARDS AND NATIONAL BUILDING REGULATION. DO NOT SCALE REFER ONLY TO FIGURED DIMENSIONS GIVEN. ANY DISCREPANCIES TO BE REPORTED TO DESIGNER IMMEDIATELY. ALL BUILDING WORK TO BE IN ACCORDANCE WITH SANS 10400 N

Floor Calculations:
 A) Erf Area: 380.403m²
 B) Existing Dwelling 141.613m²
 C) Lonlyary 4.00m²
 C) Proposed House Shop: 40.62m²
 F) Total Floor Area: 206.233 %
 COVERAGE :54.27%

PROJECT DETAIL:

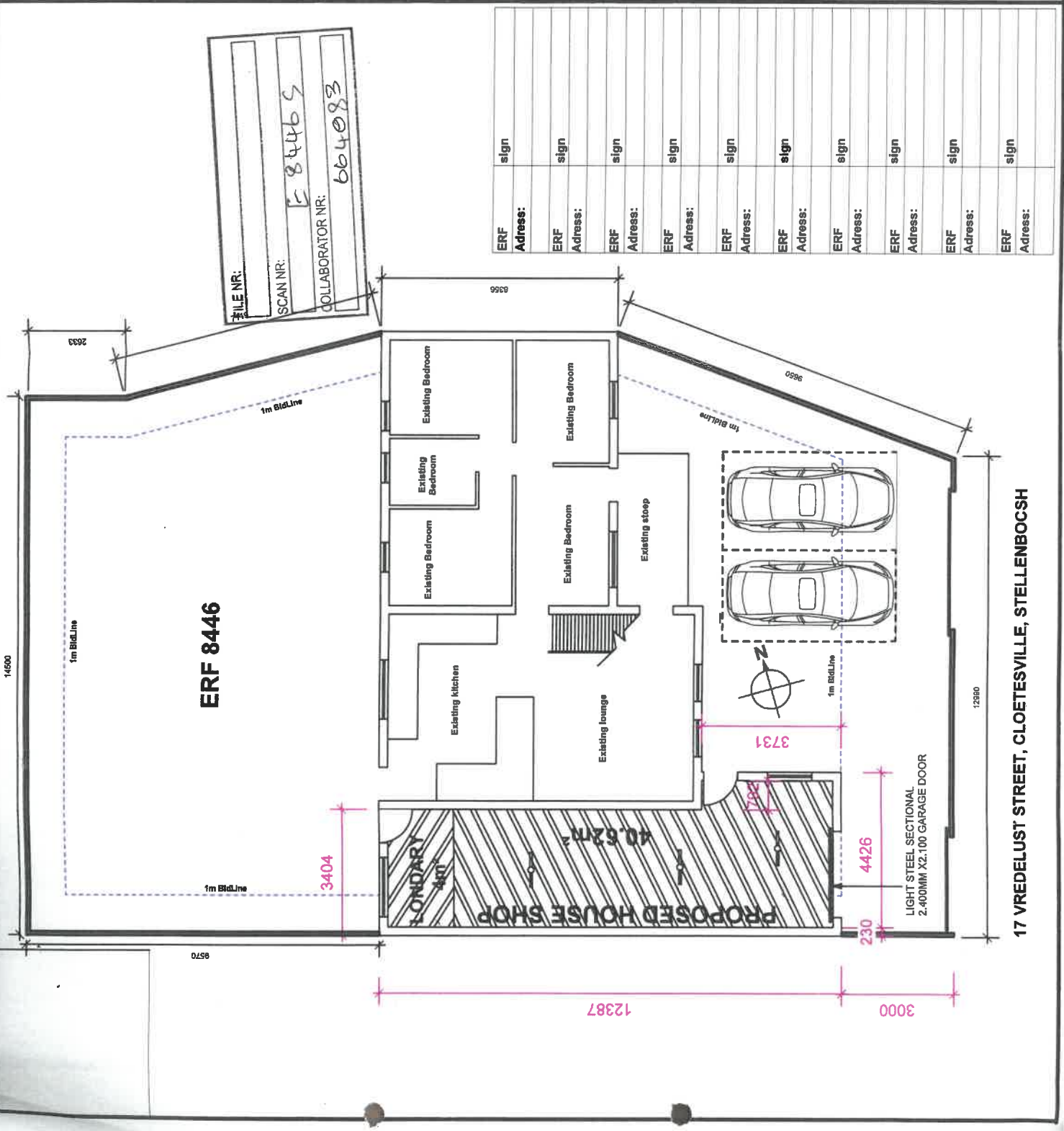
Proposed Extension:
 For Mr Stone on ERF.8446
 17 Vredelust street,Cloetesville, Stellenbosch
 Bp.No. 1000000000

Date: 2018/06/12 | Zoning: SR2 | Revision: 02
 Plan No. 12062018105
 Bus Partner No. 100000000

Drawn & Design By: Daniel Arnolds
 Sacap Person: D. Arnolds

Checked By: D. Arnolds
 Owner Sign:

Building Plans/ Bou Planne
 SACAP Reg. No. D2849
 d a
 Architectural Services & Project Management
 Email: archproject@gmail.com; cell: 0828349880/Tel: 021 854 4981



FILE NR:
 SCAN NR: E 8446 S
 COLLABORATOR NR: 664083

17 VREDELUST STREET, CLOETESVILLE, STELLENBOCSH