



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14087

Our File Reference Number: Erf 888, Franschhoek

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 IN TERMS OF SECTION 15(2)(G) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW, 2015 FOR A PERMISSION IN TERMS OF THE ZONING SCHEME BYLAW TO ALLOW AN ADDITIONAL USE (TECHNICAL APPROVAL FOR A SECOND DWELLING) AND DEPARTURE IN TERMS OF SECTION 15(2)(b) OF THE STELLENBOSCH MUNICIPAL PLANNING BYLAW (2015); ERF NO. 888, FRANSCHHOEK.

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the application in terms of Section 15(2)(g) of the Land Use Planning By-law (2015) for a permission required in terms of Section 13(6) of the Zoning Scheme By-law (2019) to permit an additional use for a second dwelling on Erf 888, Franschhoek;
 - 2.2 That the application in terms of Section 15(2)(b) of the Stellenbosch Municipality Land Use Planning By-Law (2015) for a departure to relax the 2.5m building line to 1m for a new lean-to on Erf No. 888, Franschhoek;

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.

3. The approval is subject to the following conditions imposed in terms of Section 66 of said Bylaw:
 - 3.1 The approval only applies to the application under consideration for a technical approval and departure, as indicated on the referenced building plan (Drawing No. 4073-Lums_A101 date 19 May 2022 and drawn by Darryn Botha), attached as **ANNEXURE A** 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.

3.2 Building plans must be submitted for the proposed building work and must generally be in accordance with the referenced building plan (Drawing No. 4073-Lums_A101 date 19 May 2022 and drawn by Darryn Botha), attached as **ANNEXURE A**.

3.3 The conditions listed in the memorandum dated 19 July 2022 from the Municipal Director: Infrastructure Services attached as **ANNEXURE C** be adhered to.

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

4.1 The application is a moderate form of densification, promoted by the SDF and intends to optimally use the space on the property and except for the lean-to will all development parameters be complied with.

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

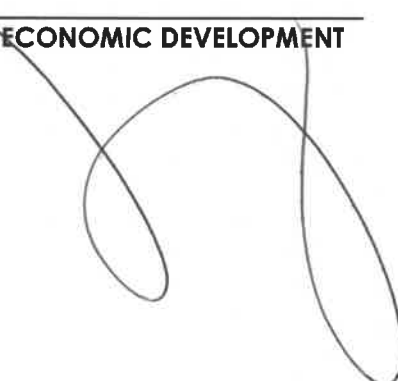
details for the General Account can also be accessed on the municipal website (<https://www.stellenbosch.gov.za/documents/general/8314-stellenbosch-municipality-banking-details-1/file>).

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



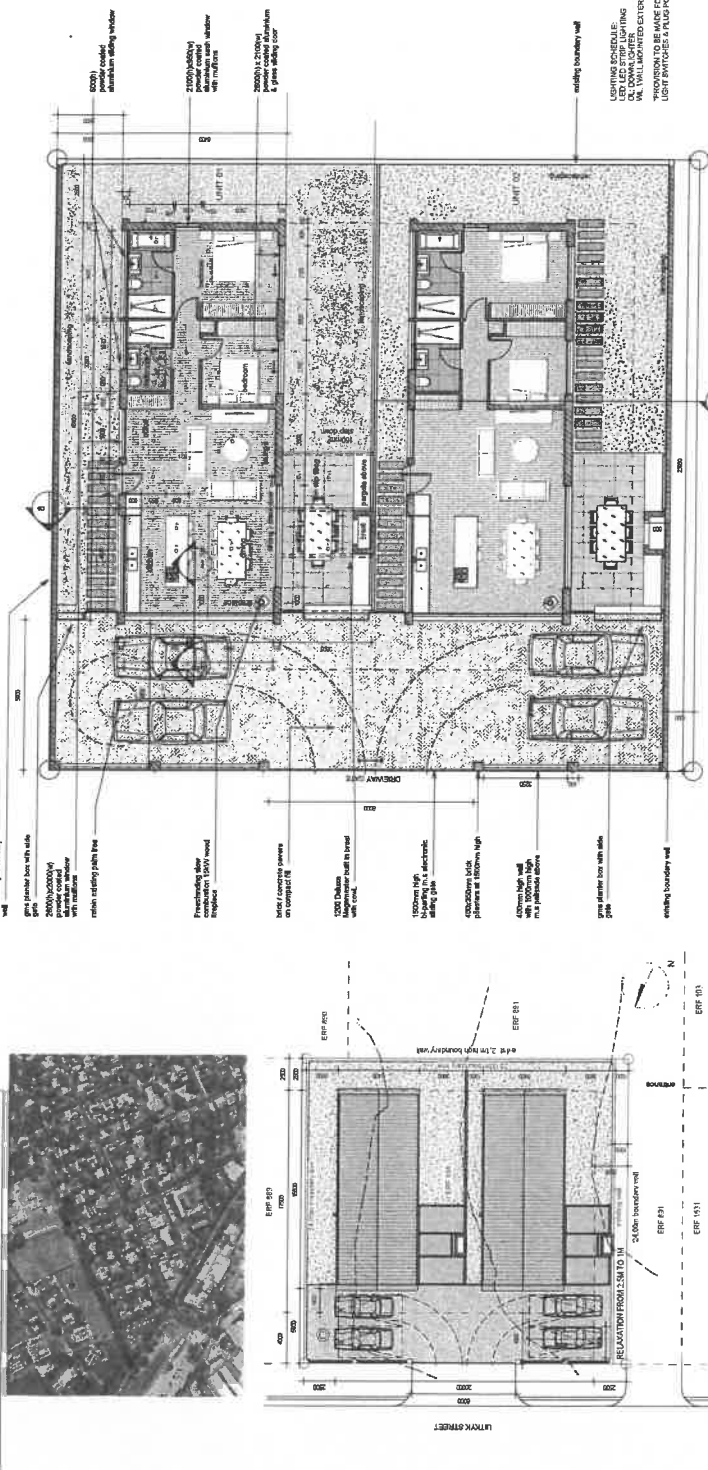
FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT



25/7/2022
DATE

ANNEXURE A

Locality Plan and Building Plan



REF 888 - FRANSCHOEK

BUILDING CONTROLS	
Zoning	Conventional Residential Zone (CR)
Eff. Size	600m ²
Development Rate	Permitted / Requested
Coverage	300m ² @ 50%
Height	2 Storeys / 41.16m
Street Building Line	4m
Common Building Line	2.5m
Off-Street Parking	2 Bays/Dwelling

ADDITIONAL DEVELOPMENT NOTES:

- Second dwelling permitted subject to Technical Approval.
- Site plan shall be submitted for approval to the relevant authority.
- Boundary Line: 1.5m from building, 1.5m from side, 2m from setbacks.
- 2. 1.5m from setbacks.
- 3. 2m from setbacks.
- 4. 1.5m from setbacks.

CONSTRUCTION NOTES:

ALL WORKS TO COMPLY WITH THE S.O.P. PROPERTY OF DEVELOPER.

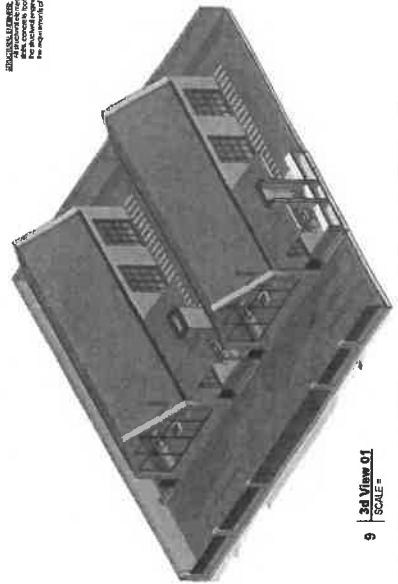
WALLS: FLOOR SLAB FORMATIONS TO BE CONCRETE ON REINFORCED STEEL. EXTERIOR WALLS TO BE 200mm THICK CONCRETE WITH 20mm THICK POLYSTYRENE INSULATION. INTERIOR WALLS TO BE 100mm THICK BRICK OR CONCRETE.

ROOF: ROOF TO BE CONCRETE ON REINFORCED STEEL WITH 20mm THICK POLYSTYRENE INSULATION. ROOF FINISH TO BE 100mm THICK CONCRETE WITH 20mm THICK POLYSTYRENE INSULATION. ROOF TO BE FINISHED TO 100mm THICK CONCRETE WITH 20mm THICK POLYSTYRENE INSULATION.

FLOORING: FLOORING TO BE 100mm THICK CONCRETE WITH 20mm THICK POLYSTYRENE INSULATION. FLOORING TO BE FINISHED TO 100mm THICK CONCRETE WITH 20mm THICK POLYSTYRENE INSULATION.

WINDOWS & DOORS: WINDOWS & DOORS TO BE 2000mm x 2000mm x 1800mm. WINDOWS & DOORS TO BE FINISHED TO 2000mm x 2000mm x 1800mm.

FOUNDATIONS: FOUNDATIONS TO BE 200mm x 200mm x 1800mm. FOUNDATIONS TO BE FINISHED TO 200mm x 200mm x 1800mm.



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ANNEXURE C

Comments from internal departments
(Engineering)



STELLENBOSCH MUNICIPALITY
STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan: Director: Planning + Economic Development
Att Aandag Bulelwa Mdoda
From ▫ Van: Principal Technician: Development (Infrastructure Services)
Author ▫ Skrywer: Abdullah Daniels
Date ▫ Datum: 19 July 2022
Our Ref ▫ Ons Verw: Civil LU 2329
Your Ref: LU/14087
Re ▫ Insake: Erf 888,Franschhoek: Application in terms of Section 15(2)(g) of the Land Use Planning By-law (2015) for a permission required in terms of Section 13(6) of the Zoning Scheme By-law (2019) to permit an additional use for a second dwelling on Erf 888, Franschhoek; Application in terms of Section 15(2)(b) of the Stellenbosch Municipality Land Use Planning By-Law (2015) for a departure to relax the 2.5m building line to 1m for a new lean-to on Erf No. 888, Franschhoek;

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

1. **Civil Engineering Services**
 - 1.1 No objection, no municipal services are affected.

2. Water

- 2.1 The existing water connection must be utilized for the proposed development: no upgrade in the size of the connection will be allowed, unless agreed to by our Water Services Department.
- 2.2 Only one water connection per erf is allowed.

3. Sewer

- 3.1 The existing sewer connection must be utilized for the proposed development: no upgrade in the size of the connection will be allowed, unless agreed to by our Water Services Department.
- 3.2 Only one sewer connection per erf is allowed.
- 3.3 Any damages to the municipal sewer line will be for the account of the owner.

4. General

- 4.1 Any changes to any existing civil engineering services of Stellenbosch Municipality is for the account of the owner.

5. Electrical Engineering (Martin Slabber – Supt Dwarsrivier Elect)

- 5.1 Refer to **Annexure: Electrical**



ABDULLAH DANIELS
PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)

V:\2.0 DEVELOPMENT\00 Developments\2329 (AD) Erf 888 Franschoek\2329 (AD) Erf 888 Franschoek.doc

Development Admin

From: Martin Slabber
Sent: Friday, 08 July 2022 08:21
To: Development Admin
Subject: RE: Request for comments: Technical approval for a second dwelling: Erf 888, Franschoek.

GENERAL: None

CONDITIONS: If any electrical services have to move-, remove-, change or upgrade - apply via recoverable cost application, for applicants cost.

Subject to SANS 10142,204-1-2008, energy savings and efficiency implementation and Municipal bylaws - Only existing electrical connection is available.

1.Installation of 10A electrical control units 2.Solar water heating/heat pump installation 3.Energy efficient lighting 4.Roof insulation 5.Cooking with gas

fired appliances 6.Controle air condition equipment with energy saving devices 7.Preat at least 50% of hot water with alternative energy savings devices

TX

Groete:

Martin Slabber

Supt. Dwarsrivier Elect.

Engineering Services



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twitter.com/StellMun

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Disclaimer and confidentiality note: The legal status of this communication is governed by the terms and conditions
Published at the following link: http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm

From: Development Admin <Development.Admin@ Stellenbosch.gov.za>

Sent: Thursday, 07 July 2022 14:16

To: Martin Slabber <Martin.Slabber@ Stellenbosch.gov.za>