



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/12686

Our File Reference Number: Erf 892, Franschhoek

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 A PERMANENT DEPARTURE TO ACCOMMODATE THE PROPOSED HOME LODGING UNIT ABOVE THE EXISTING GARAGE & TECHNICAL APPROVAL FOR HOME LODGING TO ACCOMMODATE ADDITIONAL PERSONS: ERF 892, ROUX STREET, FRANSCHHOEK**

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
  - 2.1 That the following applications in terms of the Stellenbosch Municipal Land Use Planning Bylaw dated 20 October 2015, namely:
    - 2.1.1 Application for a Permanent Departure in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-law (2015), in order to relax the 4m street building line to 3.894m and the 2.5m rear building line to 0.305m to accommodate the proposed room above the existing double garage on Erf 892, Roux Street, Franschhoek as indicated on drawing no. 01, drawn by Nelia Wolfaardt, dated 01/09/2020.
    - 2.1.2 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 of the Zoning Scheme By-law (2019), for a Technical Approval to use the proposed addition above the existing garage for a home lodging unit to accommodate two persons on Erf 892, Roux Street, Franschhoek. (See **ANNEXURE C**)

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

## 2.2 Conditions

- i. The approval applies only to the application in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council and external authorities.
- ii. Building Plans be submitted for approval to this municipality prior to construction commencing on site.
- iii. The home lodging unit shall be managed by the owner of the subject property.
- iv. That a maximum of two persons be accommodated in the home lodging unit as applied for.
- v. The approval will lapse if not implemented within 5 years from the date of final notification.

## 2.3 The reasons for the above decision are as follows:

- (a) The proposal will have minimal impact to the existing streetscape and character of surrounding area.
- (b) The proposed home lodging unit will not set a precedent in the area as similar approvals have been granted in the surrounding area and the use is residential in nature.
- (c) The subject property will still primarily be used for residential purposes.

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;

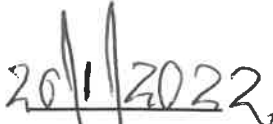
- (b) Reference to this correspondence and the relevant property details on which the appeal is submitted.
- (c) The grounds of the appeal which may include the following grounds:
  - (i) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice 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](mailto:landuse.appeals@stellenbosch.gov.za)

6. 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.
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

  
DATE:

# ANNEXURE C

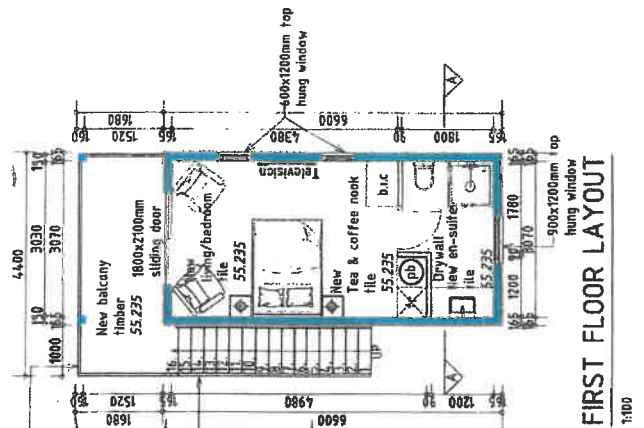
- NOTES:**
- ROOF: All to comply to SANS 10400 2011 Part L.
  - NEW ROOF: Colourbond coated Graphite Matt Victorian S profile IRR roof finish (colour: client specs) 40° pitch on light steel purlins at max 300mm c/c. fixed to lattice truss on light steel frame structure as per engineers design and detailing. Roof covering installed to manufacturer's specifications.
  - Fascia & Bargeboards: 22x228mm. Gutters & downpipes: 100mm Ø gutter to 75mm Ø downpipes to run surface over paving to existing storm water disposal & existing water tank.
  - GUTTERS & DOWNPIPES: 100mm seamless Aluminium gutter to discharge into 75mm downpipes.
  - NEW WINDOWS & DOORS: Powder coated Aluminium.
  - GLAZING: All glazing to comply with SANS 10400 N 2011. All safety glazing to bear SABS stamp of approval.
  - STORMWATER/RAINWATER: To rainwater channels to gutters to existing storm water disposal. Rain water tanks to be installed where possible & out of site of street.

ALL NEW & EXISTING GLAZING WITHIN 0.5m OVER ANY FLOOR OR STAIR TREAD TO BE SAFETY GLAZING & TO BEAR THE VISIBLE SABS STAMP OF APPROVAL. ALL GLAZING TO COMPLY WITH SANS 10400 PART N 2011. ALL INTERIOR UNFRAMED GLASS TO BE 10mm LAMINATED OR TOUGHENED SAFETY GLASS.

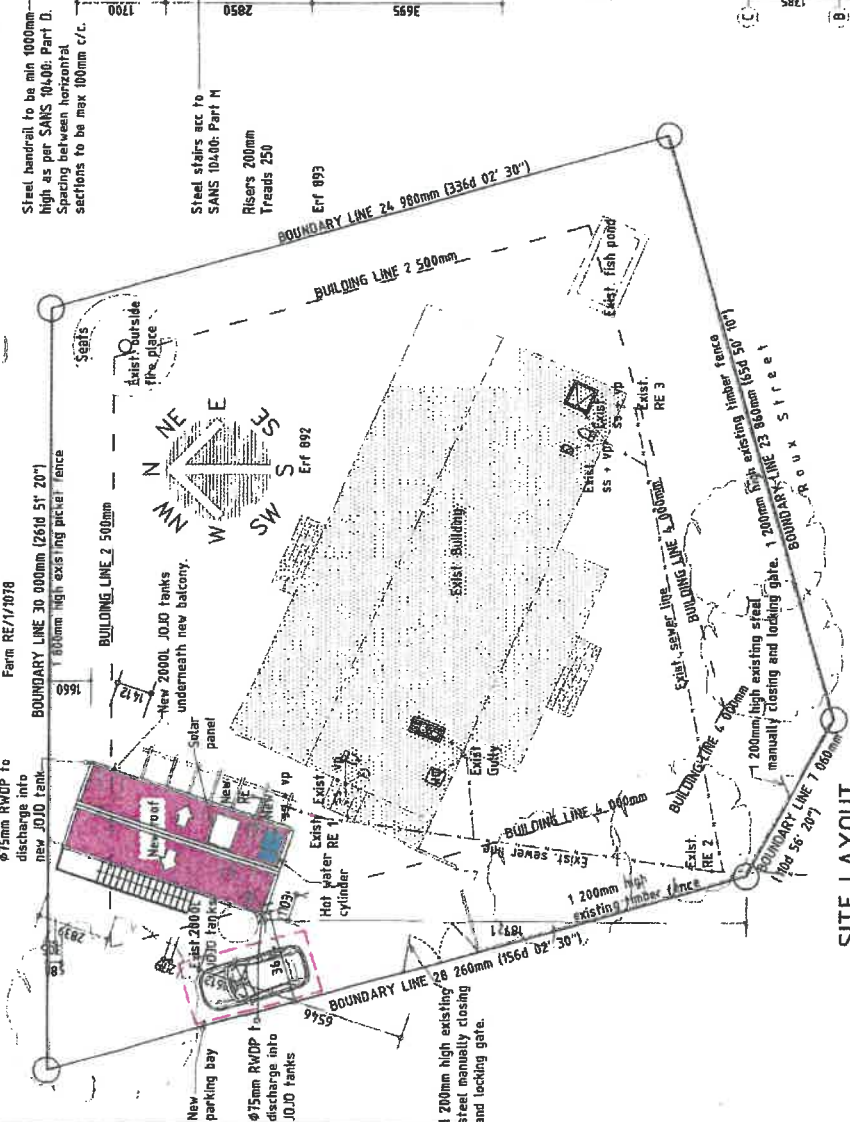
FIRE SAFETY DISTANCE TO COMPLY TO SANS 10400 PART T. STORM WATER DISPOSAL TO COMPLY WITH SANS 10400 PART R. ALL CONSTRUCTION TO COMPLY WITH NATIONAL BUILDING REGULATIONS SANS 10400: 2011. NO BUILDING WORK MAY ENCRoACH ERF BOUNDARY.

ALL LEVELS & DIMENSIONS TO SUIT EXISTING.

PRECASIT LINTOLS TO BE LAID OVER GROUND FLOOR TO MANUFACTURERS SPECIFICATION, REINFORCED CONCRETE BEAMS EXCEEDING 300mm TO BE DESIGNED BY PROFESSIONAL ENGINEER.



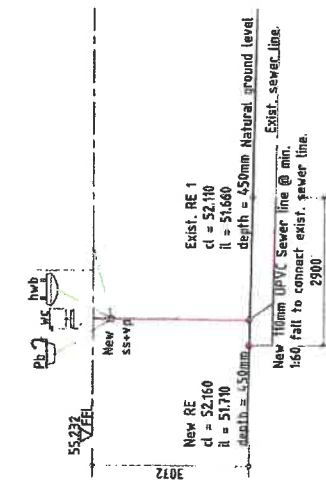
**FIRST FLOOR LAYOUT**  
1:100



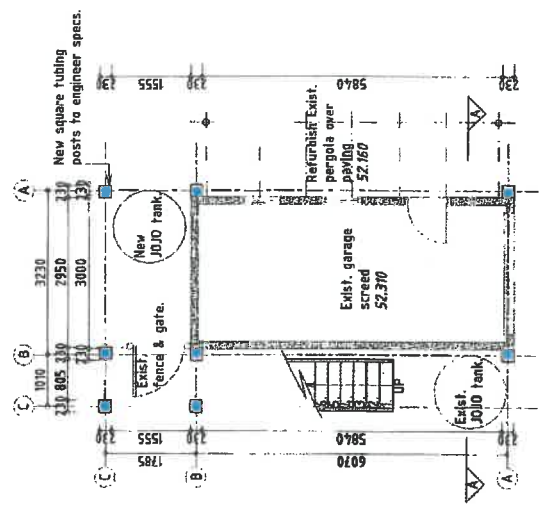
**SITE LAYOUT**  
1:200

**SCHEDULE OF AREAS ERF 04/172**

ERF:	827m <sup>2</sup>
<b>EXISTING</b>	
Building:	186m <sup>2</sup>
Garage:	19m <sup>2</sup>
Outside fire place:	12.5m <sup>2</sup>
Fish ponds:	7m <sup>2</sup>
<b>TOTAL EXISTING COVERAGE</b>	<b>224.5m<sup>2</sup></b>
<b>NEW COVERAGE</b>	<b>27%</b>
<b>NEW TOTAL COVERAGE</b>	<b>22m<sup>2</sup></b>
Backfill:	11m <sup>2</sup>
Balcony:	33m <sup>2</sup>
<b>NEW COVERAGE</b>	<b>0.02%</b>
<b>TOTAL COVERAGE</b>	<b>220m<sup>2</sup></b>
<b>TOTAL COVERAGE</b>	<b>27%</b>



**SEWER SECTIONS**  
Scale 1:100



**GROUND FLOOR LAYOUT**  
1:100

Neighbours signature: *[Signature]*  
 Farm no 1078/1  
 9 Roux Str. FH 465  
 99 KADEMIE STR. ERF 1

ORDERED TO SATISFY SANS INDIANA CLIMATE ZONE 1  
 Occupational classification: N  
 Part 1: Structural design  
 Part 2: Public safety  
 Part 3: Site specific  
 Part 4: Foundations  
 Part 5: Floors  
 Part 6: Walls  
 Part 7: Roof construction  
 Part 8: Stairways  
 Part 9: Glazing  
 Part 10: Lighting and ventilation  
 Part 11: Stormwater disposal  
 Part 12: Fire protection

Auriel Jordaan  
 Prs. Arch T Reg. No. 570896  
 P.O. Box 10 Paarl 7620  
 Tel/fax: 021 872 5832  
 Cell: 083 725 4733  
 Email: auriele@telkomsa.net

PROJECT: New Bedst & Balcony  
 House Scholtz,  
 13 Roux street, FH 892,  
 Franschhoek

OWNERS SIGNATURE: *[Signature]*  
 Drawn by: Nella Wolfseart  
 Scale: to scale @ A3  
 Date: September 2020  
 Title: Site layout, Ground,  
 First floor layout, Sewer layout  
 Drawn No: 01