



Application Number: LU/13854

Our File Reference Number: Erf 9065, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 808 8682

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

PER EMAIL: [REDACTED]

Sir / Madam

APPLICATION FOR A PERMISSION IN TERMS OF THE ZONING SCHEME TO ALLOW AN ADDITIONAL USE (TECHNICAL APPROVAL) AND DEPARTURE ON ERF 9065, STELLENBOSCH

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 Stellenbosch Municipal Land Use Planning Bylaw 2015 for permission in terms of the zoning scheme to allow an additional use (technical approval) second dwelling unit on Erf 9065, Lang Street, Cloetesville – Stellenbosch.

2.2 That the application in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 for a departure to relax the street building line from 3m to 0m and to increase the permissible coverage of 60% to 63% to accommodate the proposed additions on the ground floor and the 1st floor.

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

2.3 The approval is subject to the following conditions imposed in terms of Section 66 of said Bylaw:

2.3.1 The approval only applies to the application under consideration, as indicated on Drawing No. 2022/07/01, drawn by: D Lakey Draughting Services, dated: Aug 2022, attached as **Annexure B**, 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.

2.3.2 Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the approval of any building plans or as may be agreed on in writing with the Director of Infrastructure Services.

2.3.3 Building plans must be generally in accordance with the site plan and floor layout plan as indicated on Drawing No. 2022/07/01, Drawn by: D Lakey Draughting Services, Dated Aug 2022, and attached as **Annexure B**.

2.3.4 Sufficient on-site parking must be provided in accordance with the provisions of the Zoning Scheme Bylaw as illustrated on the site plan to the satisfaction of the Municipality at all times.

2.4 The reasons for the above decision are as follows:

2.4.1 The proposal is in line with the existing land use of the property and will not have a negative impact on the character of the surrounding area.

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.

5. 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.

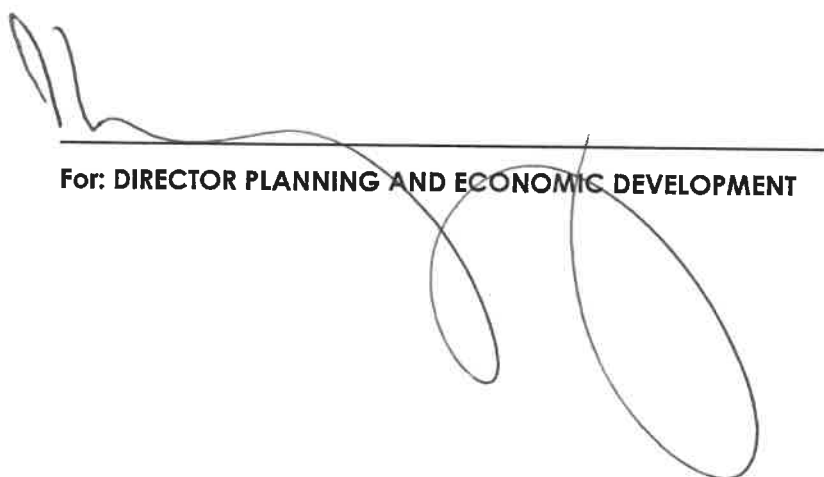
6. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address:
landuse.appeals@ Stellenbosch.gov.za

7. 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.

8. 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>).

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

23/01/2022
DATE:

PA

ALL ELEVATIONS AND DIMENSIONS MUST BE CORRELATED TO THE ARCHITECTURAL DRAWING. ANY DISCREPANCIES MUST BE BRING TO THE ATTENTION OF THE ARCHITECT IMMEDIATELY. COPYRIGHT IS RESERVED ON ALL DRAWINGS AND DIMENSIONS.

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	2022/07/01
2	REVISED PER COMMENTS	2022/07/01
3	REVISED PER COMMENTS	2022/07/01
4	REVISED PER COMMENTS	2022/07/01
5	REVISED PER COMMENTS	2022/07/01

DEVELOPMENT DATA:

SITE AREA	2005sqm
EXISTING DWELLING:	1125sqm
EXISTING GROUND FLOOR	465sqm
EXISTING COVER ROOF	435sqm
EXISTING FIRST FLOOR	201sqm
TOTAL	185sqm
NEW ADDITIONS:	185sqm
GROUND FLOOR	185sqm
FIRST FLOOR	325sqm
TOTAL	2335sqm
OVERALL TOTAL	585%
EXISTING COVERAGE	58%
NEW COVERAGE	62%
COVERAGE SQM	174sqm

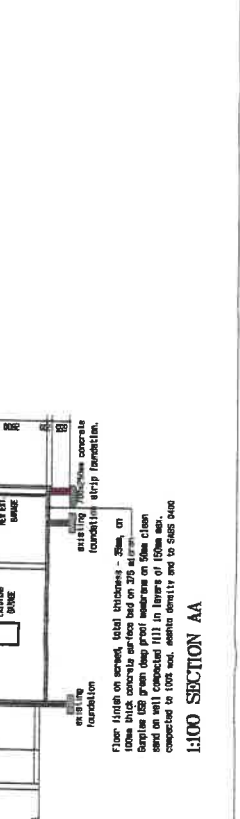
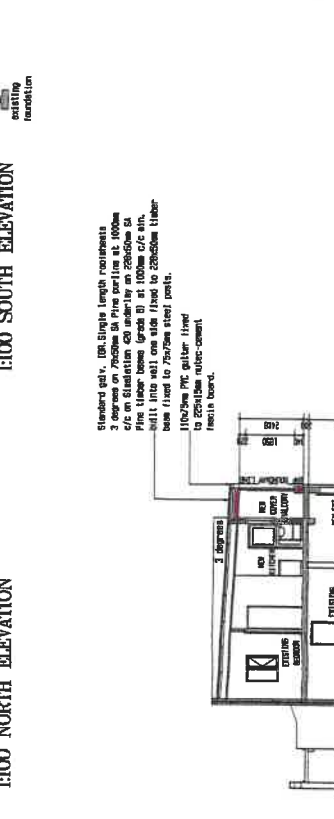
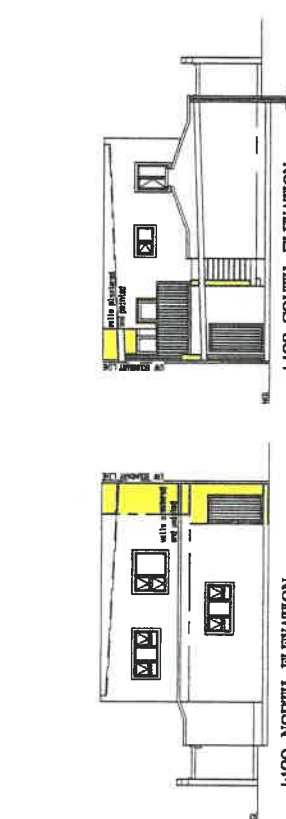
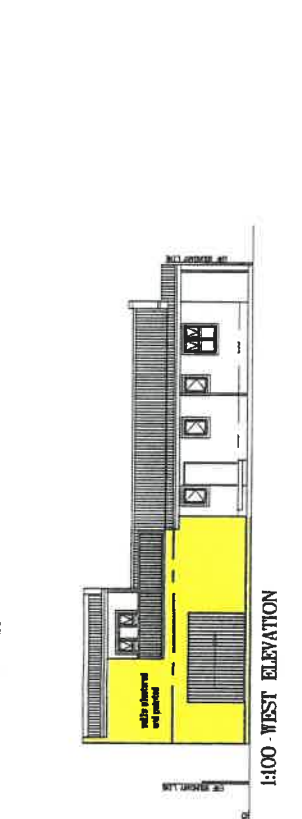
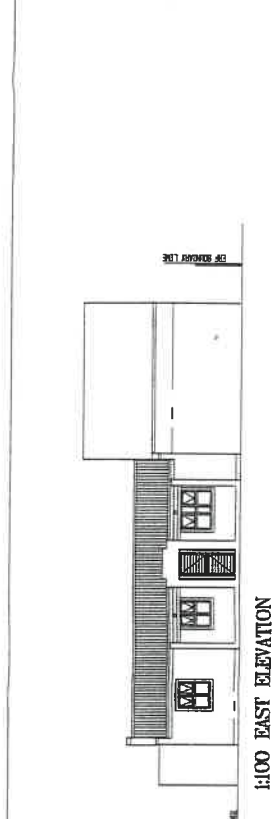
D LAKEY
DRAWING SERVICES

SACAP NO. D2280

ALTERATIONS & ADDITIONS
SECOND DWELLING
FOR MR JODY BERGSTEIT
NO. 189 LANG STREET
ERF 9065, CLOETESVILLE
STELLENBOSCH

TECHNICAL DRAWING

PROJECT	ALTERATIONS & ADDITIONS SECOND DWELLING FOR MR JODY BERGSTEIT NO. 189 LANG STREET ERF 9065, CLOETESVILLE STELLENBOSCH
DATE	AUG. 2022
SCALE	AS SHOWN
DRAWN BY	B
CHECKED BY	2022/07/01
ISSUED	



NO.	REVISION	DATE
1	ISSUED FOR PERMIT	2022/07/01
2	REVISED PER COMMENTS	2022/07/01
3	REVISED PER COMMENTS	2022/07/01
4	REVISED PER COMMENTS	2022/07/01
5	REVISED PER COMMENTS	2022/07/01

