



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/13747

Our File Reference Number: Farm 1075/14, Paarl Division

Your Reference Number: None

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 DEPARTURE: FARM 1075/14, PAARL DIVISION

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 The departure in terms of Section 15(2)(b) of the said Bylaw in order to relax the 5m building line to 1.82m for alterations to an existing dwelling to accommodate a new garage.

BE APPROVED in terms of Section 60 of the said bylaw, subject to conditions in terms of Section 66 of the said Bylaw.

3. Conditions of approval:

- 3.1 Building Plans, which do not substantially deviate from the layout plans attached as **Annexure B**, but not the distance of the departure, be submitted for approval to this municipality prior to construction commencing on site.

General conditions of approval with no requirement for compliance prior to the construction of the garage as contemplated in terms of Section 66(11) of the subject By-Law:

- 3.2 The approval only applies to the proposed application for departure under consideration, as indicated on the building plan with Drawing No. LR3-100 to 103 and 200, dated 02/12/2020 and drawn by BPS from Architect Incorporated 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.

3.3 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.

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

4.1 No municipal and private services will be negatively impacted on by the application.

4.2 All services could be provided for the proposed extensions.

4.3 The aesthetic appearance of the subject building and surrounding properties and buildings would not be negatively altered or affected by the proposal.

4.4 The closes neighbouring building is $\pm 200\text{m}$ away and written consent was obtained from the adjacent neighbour.

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

DATE:

4/3/2022

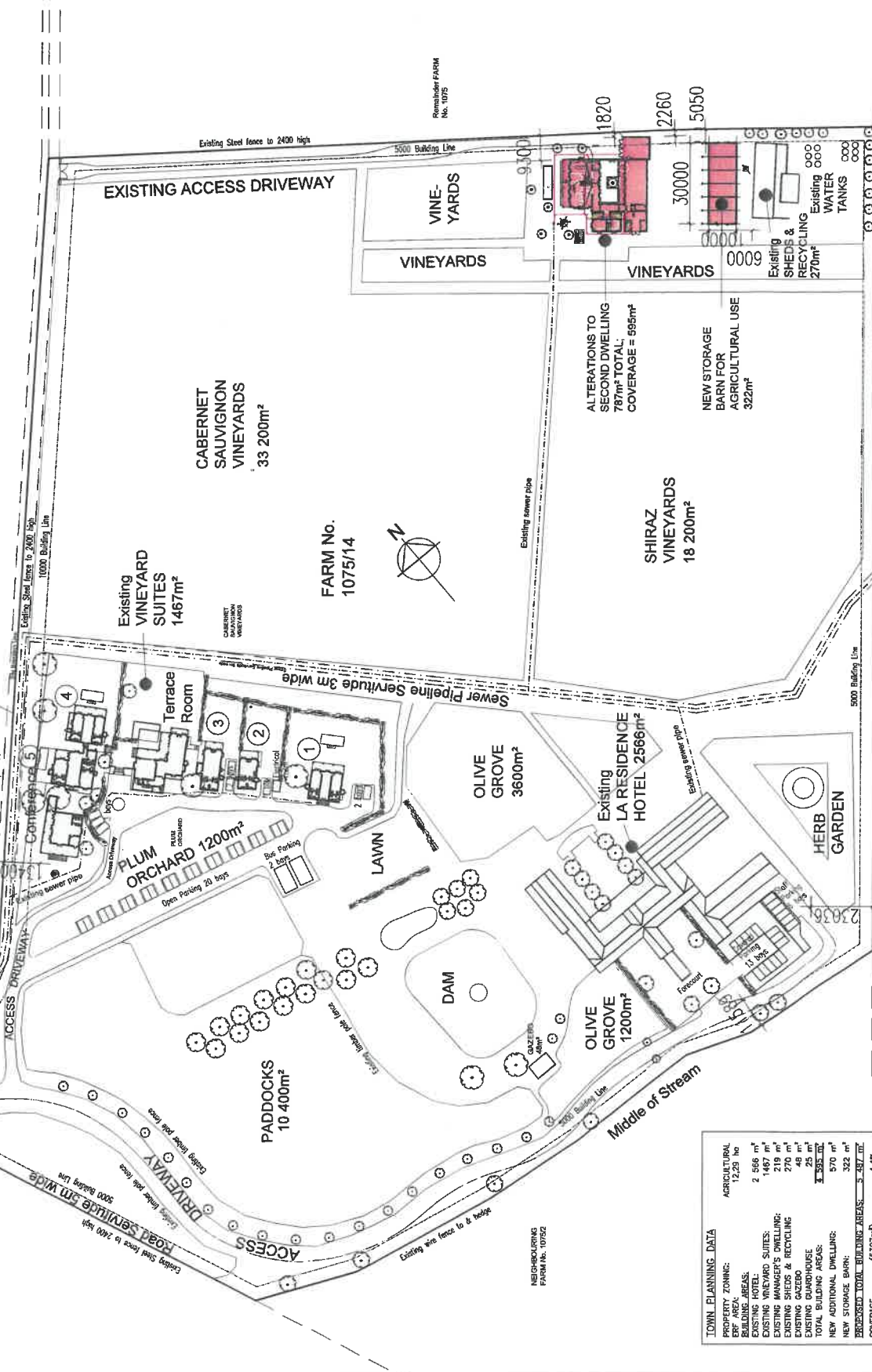
ANNEXURE B

Building Plan

GENERAL NOTES

Figures dimensions to be taken in preference to existing, all dimensions, area and levels to be checked on site by the contractor. The contractor shall be responsible for the design and construction of any structures or works not shown on this plan. The drawings are copyright and remain the property of Architects Incorporated. It may not be reproduced, copied, or used in any way without the designer's written consent.

REVISION DATE A 10/12/2020 New Drawing	Architects Incorporated 9 Yvonne Road • Vicksburg • Cape Town
OWNER [Redacted]	DATE 10/12/2020
CLIENT [Redacted]	DATE 10/12/2020
LA RESIDENCE Farm No. 1075/14	
PROJECT: FARM No. 1075/14 FRANSCHHOEK	
RENOVATIONS TO EXISTING DWELLING	
DRAWING: SITEPLAN	
SCALE: 1:750	DATE: 02 12 2020
DRAWING NUMBER: LRS-100	REV: A



TOWN PLANNING DATA	
PROPERTY ZONING:	AGRICULTURAL
EXISTING BUILDING AREAS:	12,291 m²
EXISTING VINEYARD SUITES:	2 566 m²
EXISTING MANAGER'S DWELLING:	1467 m²
EXISTING SHEDS & RECYCLING:	219 m²
EXISTING GARAGEHOUSE:	270 m²
EXISTING BUILDING AREAS:	14 827 m²
NEW ADDITIONAL DWELLING:	570 m²
NEW STORAGE BARN:	322 m²
PROPOSED TOTAL BUILDING AREAS:	15 719 m²
PARKING BAYS PROVIDED:	49 BAYS

1:750 SITEPLAN

NEIGHBOURING FARM No. 1075/2

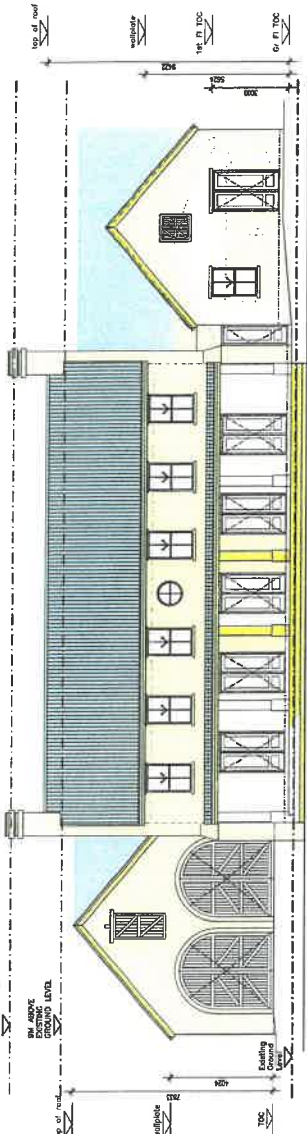
NEIGHBOURING ERF 1464

NEIGHBOURING FARM No. 1075/8

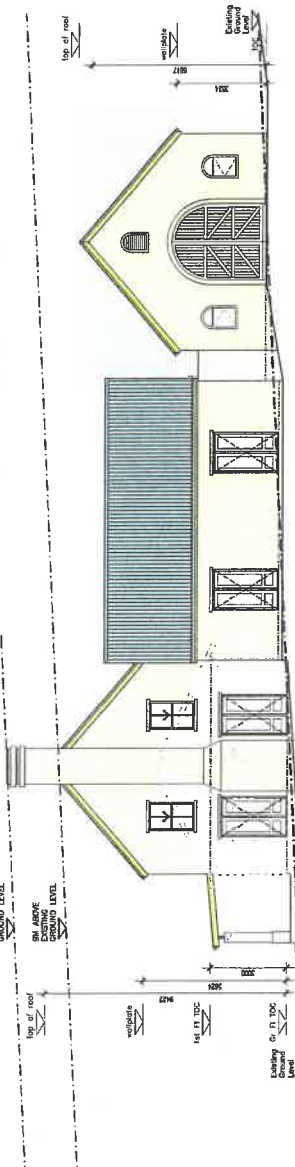
NEIGHBOURING FARM No. 1075/9

GENERAL NOTES

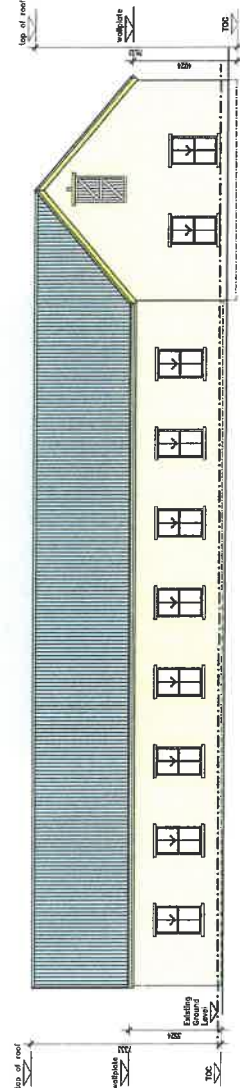
1. Placed dimensions to be taken in preference to section. All dimensions, sizes and levels to be checked on site by the contractor and any discrepancies to be reported to the licensor for resolution before any work is put in hand.
 2. This drawing is copyright and remains the property of architects unless otherwise stated. It is to be used in any way without the architect's written consent.



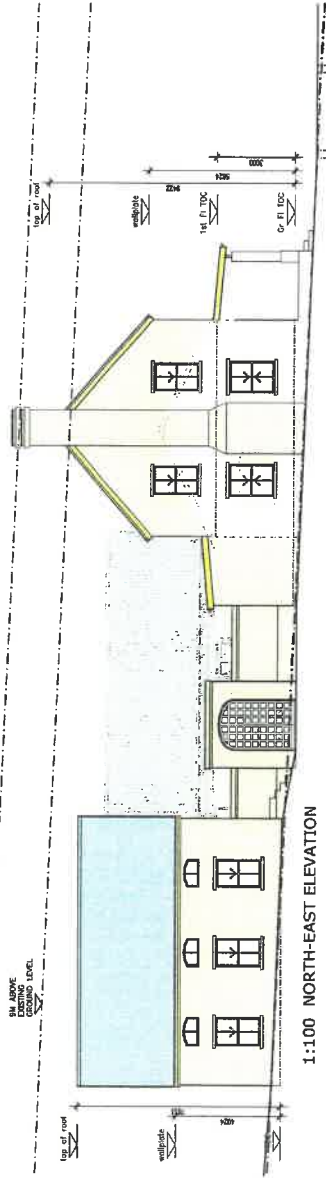
1:100 NORTH-WEST ELEVATION



1:100 SOUTH-WEST ELEVATION



1:100 SOUTH-EAST ELEVATION



1:100 NORTH-EAST ELEVATION

REVISION DATE
 A 07-12-2020 New Drawing

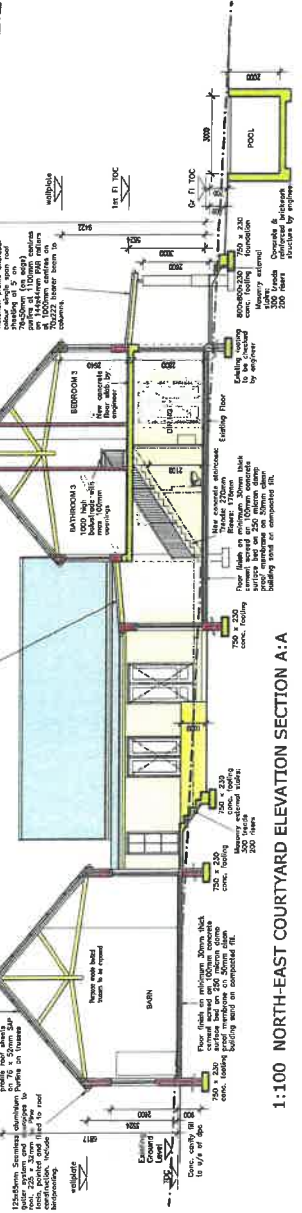
Architects Incorporated

OWNER: [Redacted] DATE: 10/10/2020
 CLIENT: LA RESIDENCE
 PROJECT: FARM No. 1075/14
 FRANSCHOEK
 RENOVATIONS TO EXISTING DWELLING
 DRAWING: ELEVATIONS

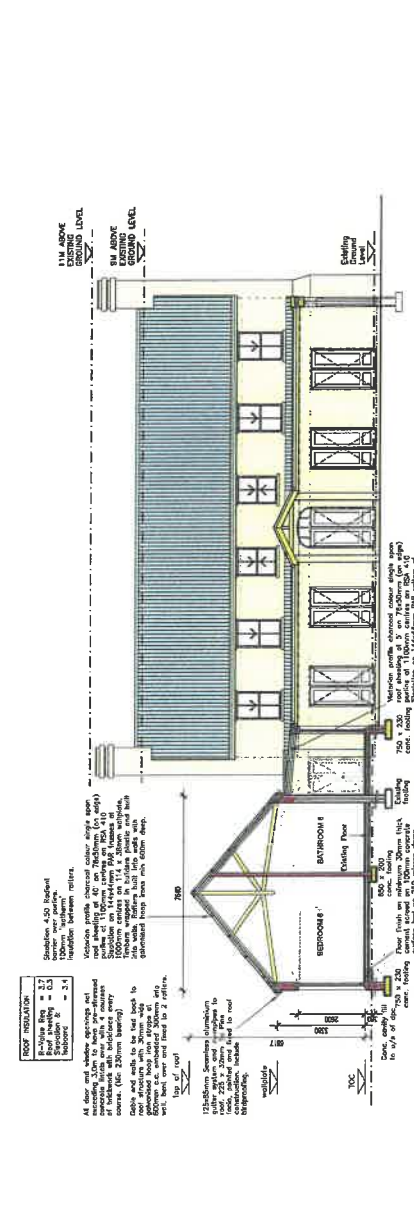
SCALES	DRAWN BY	DATE
1:100	BPS	02 12 2020
DRAWING NUMBER	REV	A
LR3-102		

GENERAL NOTES

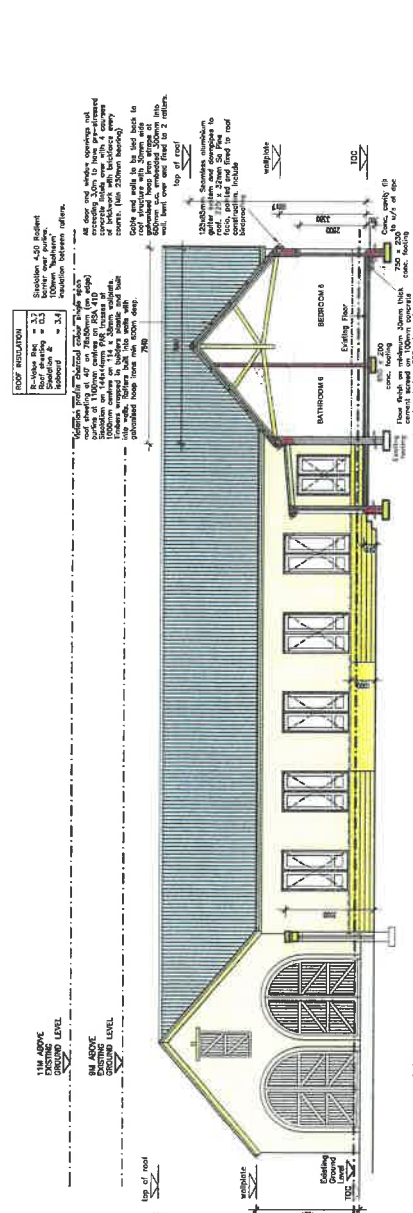
Figured dimensions to be taken in preference to scaling. All dimensions, area and levels to be checked on site by the contractor. The contractor shall be responsible for the design for resolution before any work is put in hand.
 This drawing is copyright and remains the property of Architects Incorporated. It may not be reprinted, copied, or used in any way without the designer's written consent.



1:100 NORTH-EAST COURTYARD ELEVATION SECTION A:A



1:100 SOUTH-EAST COURTYARD ELEVATION SECTION B:B



1:100 NORTH-WEST COURTYARD ELEVATION & SECTION C:C

REVISION DATE
 X 10-12-2020 New Drawing

Architects Incorporated
 8 Youville Road • Vero Beach • Cape Town

OWNER: [Redacted]
 DESIGNER: [Redacted]
 DATE: 26.10.2020 DATE: 10.10.2020
 CLIENT: [Redacted]

LA RESIDENCE
 FARM No. 1075/14
 FRANSCHHOEK

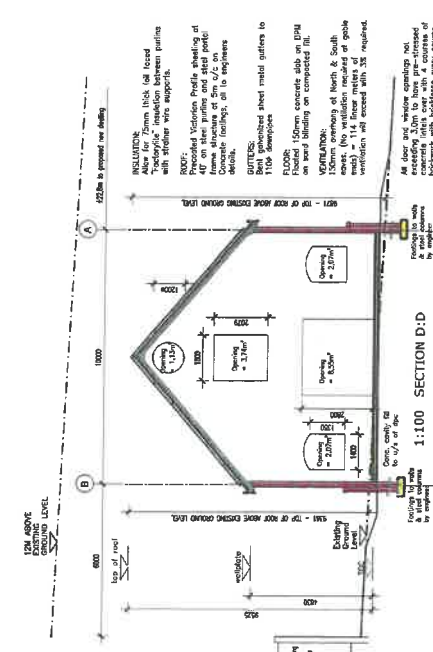
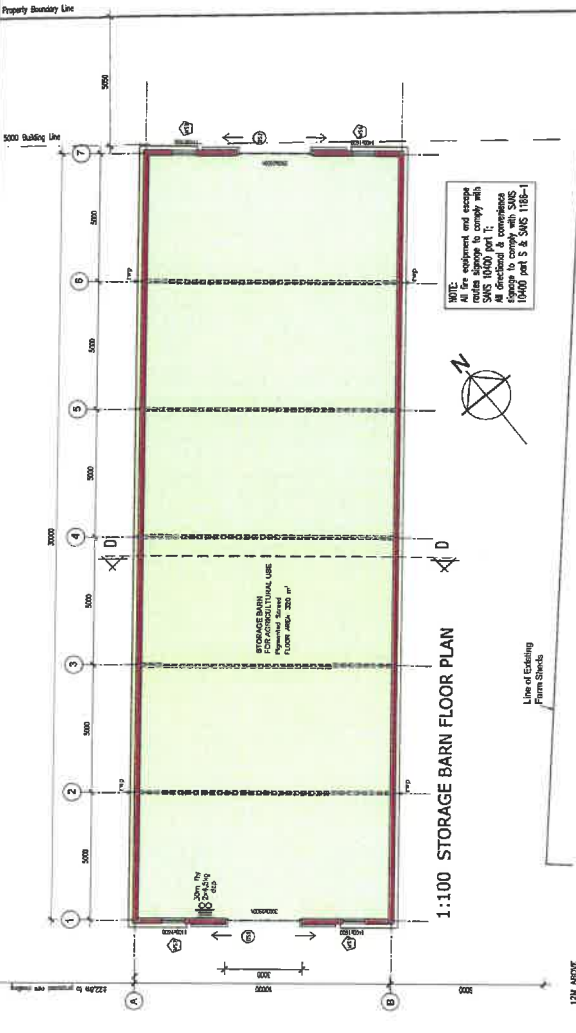
PROJECT: RENOVATIONS TO EXISTING DWELLING
 DRAWING: COUNCIL SUBMISSION DRAWING
 SECTIONS

SCALES	DOWN BY	DATE
1:100	BPS	08.12.2009

DRAWING NUMBER	REV
LR3-103	A

GENERAL NOTES

Approved dimensions to be taken in preference to scaling. All dimensions shall be taken to the face of work unless otherwise specified. Contractor and any discrepancies to be reported to the designer for resolution before any work is put in hand. This drawing is copyright and remains the property of Architects Incorporated. It may not be retained, copied, or used in any way without the designer's written consent.

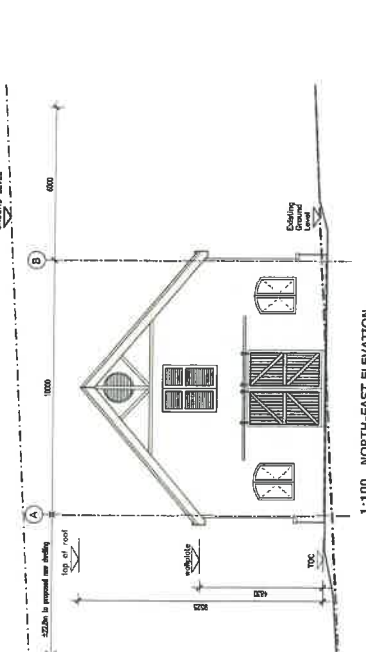
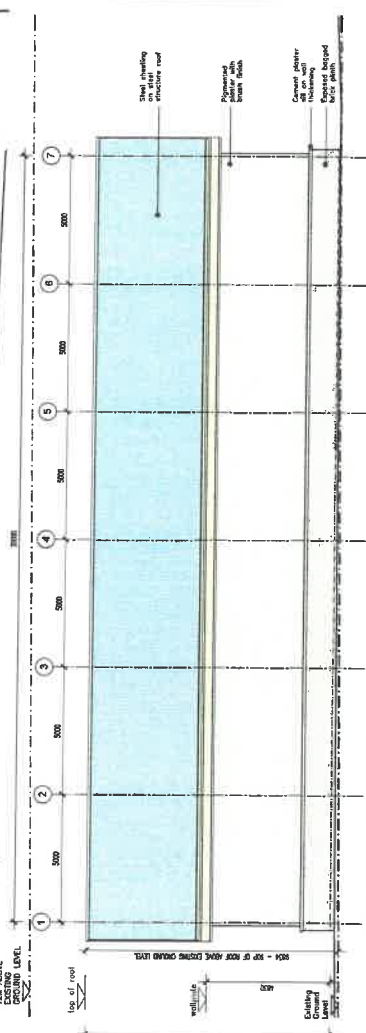


NEW STORAGE BARN AREAS:

OCCUPANCY: A3
FLOOR AREA: 320 m²

VENTILATION
Occupancy Area: = 320m²
SK Natural vent requirement: = 31m²
Ventilation provided: = 31m²

SMAKE VENTILATION: in top 3 of wall= 9.5m²
Smoke Ventilation provided = 9.5m²



ARCHITECTS INCORPORATED
8 Venable Road • Vredendal • Ceres Town

OWNER: [Redacted] DATE: 16/10/2020
CLIENT: LA RESIDENCE
PROJECT: FRANSCHHOEK RENEWALS TO EXISTING DWELLING
DRAWING: PROPOSED NEW BARN

REVISION DATE: 16/10/2020
DRAWN BY: [Redacted] DATE: 16/10/2020
CHECKED BY: [Redacted] DATE: 16/10/2020

SCALE	DRAWN BY	DATE	CD	LD	ROAD
1:100	[Redacted]	[Redacted]			
DRAWING NUMBER	LR3-200	REV	A		

