



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/13047

Our File Reference Number: Farm 263, Stellenbosch

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 DEPARTURE IN TERMS OF SECTION 15(2)(B) OF THE STELLENBOSCH LAND USE PLANNING BYLAW, 2015: FARM 263, STELLENBOSCH DIVISION**

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

2.1 That the application for a Departure on Farm 263, Stellenbosch Division in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 in order to relax the street building line from 5m to 3.5m (entrance) and 3m (main road) respectively and to relax side building line from 5m to 2.4m in order to accommodate the existing dwelling house on the property as indicated on Drawing No: 263 – 001, drawn by ZKA Architects, dated 14 July 2015.

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

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

2.2.1 The approval only applies to the proposed departure under consideration 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.

2.2.2 The development must be undertaken generally in accordance with the site plan as referenced Drawing No: 263 – 001, drawn by ZKA Architects, dated 14 July 2015 and attached as **Annexure B**.

2.2.3 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.

2.2.4 Building plans must be generally in accordance with the site plan / floor layout plan as referenced Drawing No: 263 – 001, drawn by ZKA Architects, dated 14 July 2015 and attached as **Annexure B**.

2.3 The reasons for the above decision are as follows:

2.3.1 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.

2.3.2 The proposed development would not negatively affect the aesthetic appearance of the structure, property or surrounding environment and the primary use of the property will remain residential.

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

13/7/2023  
DATE:

**ANNEXURE B: Site Development Plan**

**NOTES**

1. ALL WORK TO BE COMPLETED IN ACCORDANCE WITH THE LOCAL AUTHORITY'S REQUIREMENTS AND BY 15/06/2018 TO AVOID INTERUPTION TO THE WATER SUPPLY.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND ALL APPLICABLE REGULATIONS.

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**NO SERVICES PROVIDED BY STELLENBOSCH MUNICIPALITY (sewerhole water only - direct Easton connection)**

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**AREA:**

Ground floor = 131.8m<sup>2</sup>

First floor = 90.7m<sup>2</sup>

Garage = 62.5m<sup>2</sup>

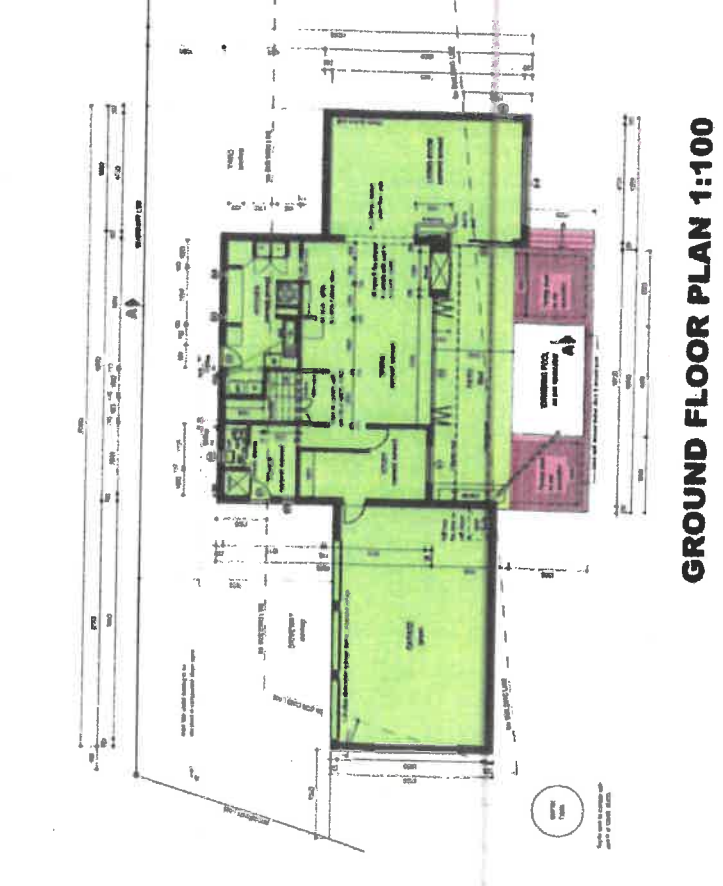
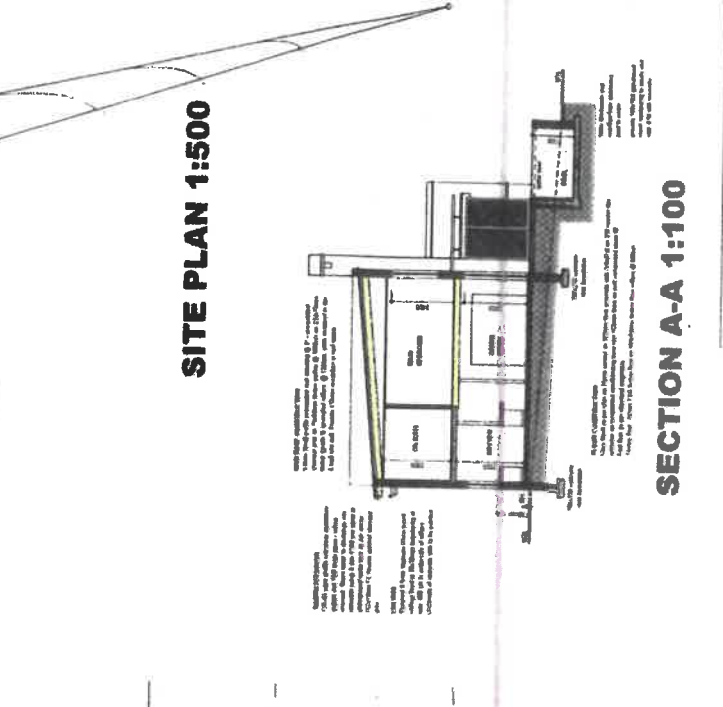
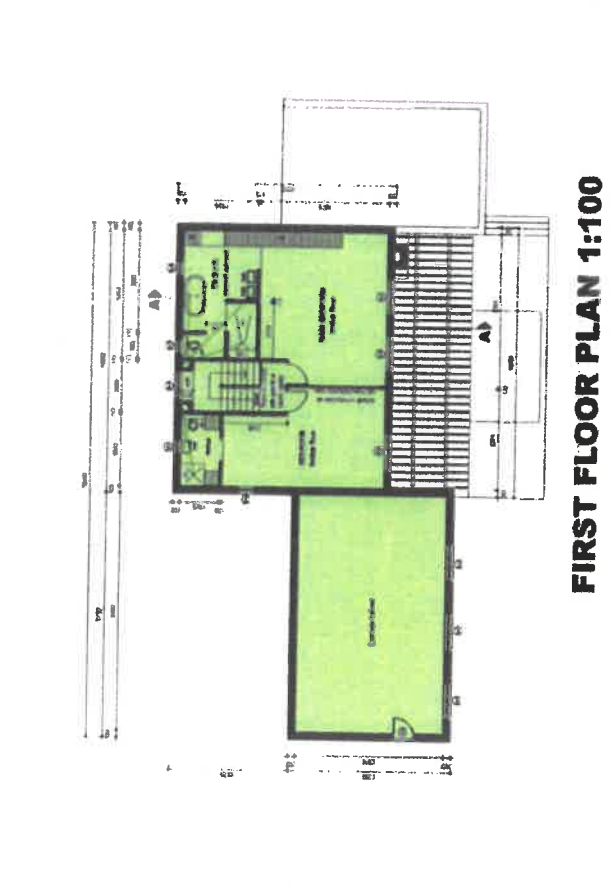
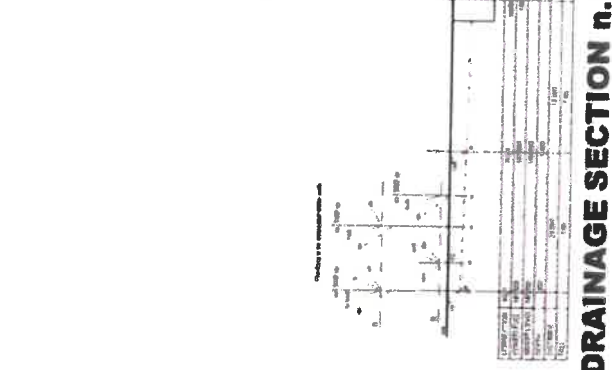
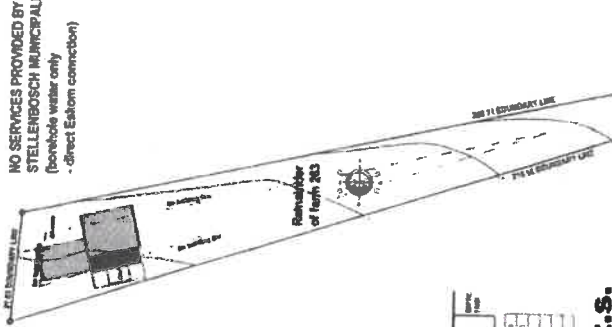
**TOTAL = 285.0m<sup>2</sup>**

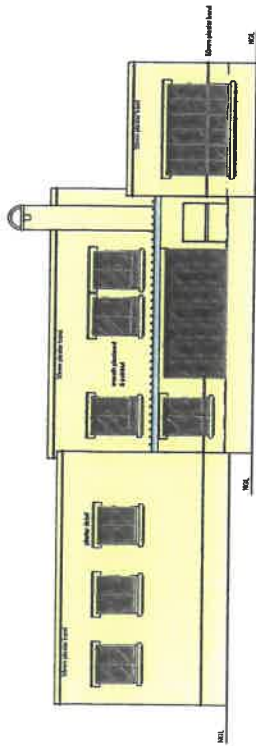
**zka ARCHITECTS**

HOUSE NEUVELING / MOORE  
REM. OF FARM 263  
STELLENBOSCH

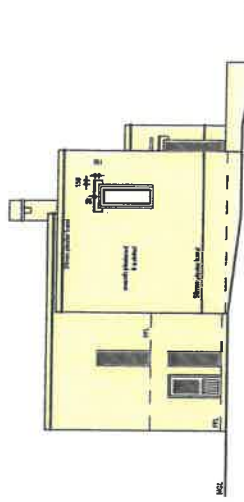
FLOOR & SITE PLANS

263 - 001

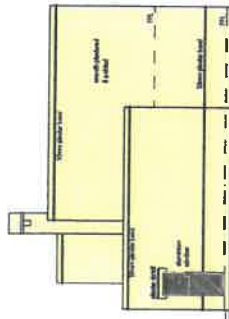




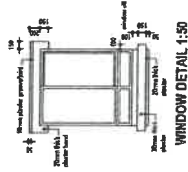
**NORTH ELEVATION 1:100**



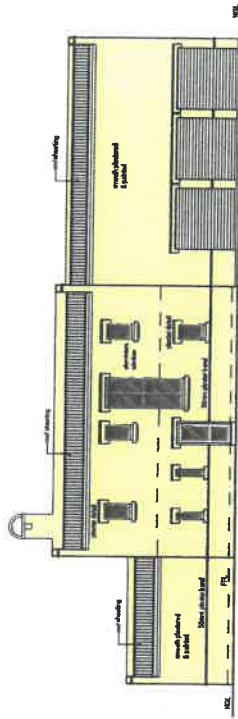
**EAST ELEVATION 1:100**



**WEST ELEVATION 1:100**



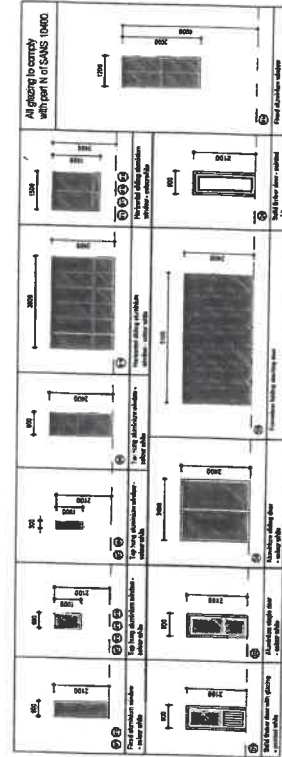
**WINDOW DETAIL 1:50**



**SOUTH ELEVATION 1:100**

Window No.	Area (m²)	U-value	g-value	SHGC	Window Type	Notes
1	1.50	1.2	0.75	0.45	Double Glazed	Living Room
2	2.00	1.2	0.75	0.45	Double Glazed	Living Room
3	1.80	1.2	0.75	0.45	Double Glazed	Living Room
4	1.20	1.2	0.75	0.45	Double Glazed	Living Room
5	1.00	1.2	0.75	0.45	Double Glazed	Living Room
6	1.50	1.2	0.75	0.45	Double Glazed	Living Room
7	1.80	1.2	0.75	0.45	Double Glazed	Living Room
8	1.20	1.2	0.75	0.45	Double Glazed	Living Room
9	1.00	1.2	0.75	0.45	Double Glazed	Living Room
10	1.50	1.2	0.75	0.45	Double Glazed	Living Room
11	1.80	1.2	0.75	0.45	Double Glazed	Living Room
12	1.20	1.2	0.75	0.45	Double Glazed	Living Room
13	1.00	1.2	0.75	0.45	Double Glazed	Living Room
14	1.50	1.2	0.75	0.45	Double Glazed	Living Room
15	1.80	1.2	0.75	0.45	Double Glazed	Living Room
16	1.20	1.2	0.75	0.45	Double Glazed	Living Room
17	1.00	1.2	0.75	0.45	Double Glazed	Living Room
18	1.50	1.2	0.75	0.45	Double Glazed	Living Room
19	1.80	1.2	0.75	0.45	Double Glazed	Living Room
20	1.20	1.2	0.75	0.45	Double Glazed	Living Room
21	1.00	1.2	0.75	0.45	Double Glazed	Living Room
22	1.50	1.2	0.75	0.45	Double Glazed	Living Room
23	1.80	1.2	0.75	0.45	Double Glazed	Living Room
24	1.20	1.2	0.75	0.45	Double Glazed	Living Room
25	1.00	1.2	0.75	0.45	Double Glazed	Living Room
26	1.50	1.2	0.75	0.45	Double Glazed	Living Room
27	1.80	1.2	0.75	0.45	Double Glazed	Living Room
28	1.20	1.2	0.75	0.45	Double Glazed	Living Room
29	1.00	1.2	0.75	0.45	Double Glazed	Living Room
30	1.50	1.2	0.75	0.45	Double Glazed	Living Room
31	1.80	1.2	0.75	0.45	Double Glazed	Living Room
32	1.20	1.2	0.75	0.45	Double Glazed	Living Room
33	1.00	1.2	0.75	0.45	Double Glazed	Living Room
34	1.50	1.2	0.75	0.45	Double Glazed	Living Room
35	1.80	1.2	0.75	0.45	Double Glazed	Living Room
36	1.20	1.2	0.75	0.45	Double Glazed	Living Room
37	1.00	1.2	0.75	0.45	Double Glazed	Living Room
38	1.50	1.2	0.75	0.45	Double Glazed	Living Room
39	1.80	1.2	0.75	0.45	Double Glazed	Living Room
40	1.20	1.2	0.75	0.45	Double Glazed	Living Room
41	1.00	1.2	0.75	0.45	Double Glazed	Living Room
42	1.50	1.2	0.75	0.45	Double Glazed	Living Room
43	1.80	1.2	0.75	0.45	Double Glazed	Living Room
44	1.20	1.2	0.75	0.45	Double Glazed	Living Room
45	1.00	1.2	0.75	0.45	Double Glazed	Living Room
46	1.50	1.2	0.75	0.45	Double Glazed	Living Room
47	1.80	1.2	0.75	0.45	Double Glazed	Living Room
48	1.20	1.2	0.75	0.45	Double Glazed	Living Room
49	1.00	1.2	0.75	0.45	Double Glazed	Living Room
50	1.50	1.2	0.75	0.45	Double Glazed	Living Room

**FENESTRATION CALCULATIONS**



**WINDOW & DOOR SCHEDULE 1:100**

**AS BUILT PLAN**

*zka*

**zka**  
ARCHITECTURE

C 081 851 6713  
F 081 616 2458  
P O B O X 1485  
DURBANVILLE 7551  
sixsky@zka.co.za

PROJECT: PROJECT  
**HOUSE NEVELING / MOORE**  
REM. OF FARM 263  
STELLENBOSCH

TOWN: TOWN: DORNBURG

SECTIONS & ELEVATIONS

DATE: 11 JULY 2018  
SCALE: AS SHOWN

FIG. NO. 263 - 002  
DRG. NO.