



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15540 (TP349/2023)

Our File Reference Number: Erf 12753, Stellenbosch

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 FOR DEPARTURE IN TERMS OF SECTION 15(2)b) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW, 2015: ERF 12753, LAETITIA STREET, DIE BOORD, 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 for a departure on Erf 12753, Laetitia Street, Die- Boord – Stellenbosch in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 to:
 - 2.1.1 Relax the street building line from 4m to 0.9m (adjacent to Van Reede Street) and relax the common building line from 2.5m to 2m (adjacent to Rem. Erf 5652)_for the proposed additions on the property in the form of a second-story unit with outside staircases and a balcony above the existing garage as indicated in Drawing No. 2023/12-001-003 Drawn by of Consulting Engineering Services, Dated Feb.2023 as **Annexure B**.
- 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 will lapse if not implemented/confirmed within five years from the date of final notification of approval of the application.

2.2.2 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 Regulations that may be applicable.

2.2.3 The development must be undertaken generally per the site plan as referenced in Drawing No. 2023/12-001-003 Drawn by of Consulting Engineering Services, Dated Feb.2023 attached as **Annexure B**.

2.2.4 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.

2.2.5 The approval granted shall not be contradictory to any other legislation which has a bearing on the use of the property and that should any other legislation be applicable and be more restrictive then the most restrictive conditions will apply.

2.2.6 Building plans must be generally per the site plan/floor layout plan as referenced in Drawing No. 2023/12-001-003 Drawn by of Consulting Engineering Services, Dated Feb.2023 attached as **Annexure B**.

2.3 The reasons for the above decision are as follows:

2.3.1 The proposal will not adversely impact the surrounding environment uses property values or the character of the area property will still be 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

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

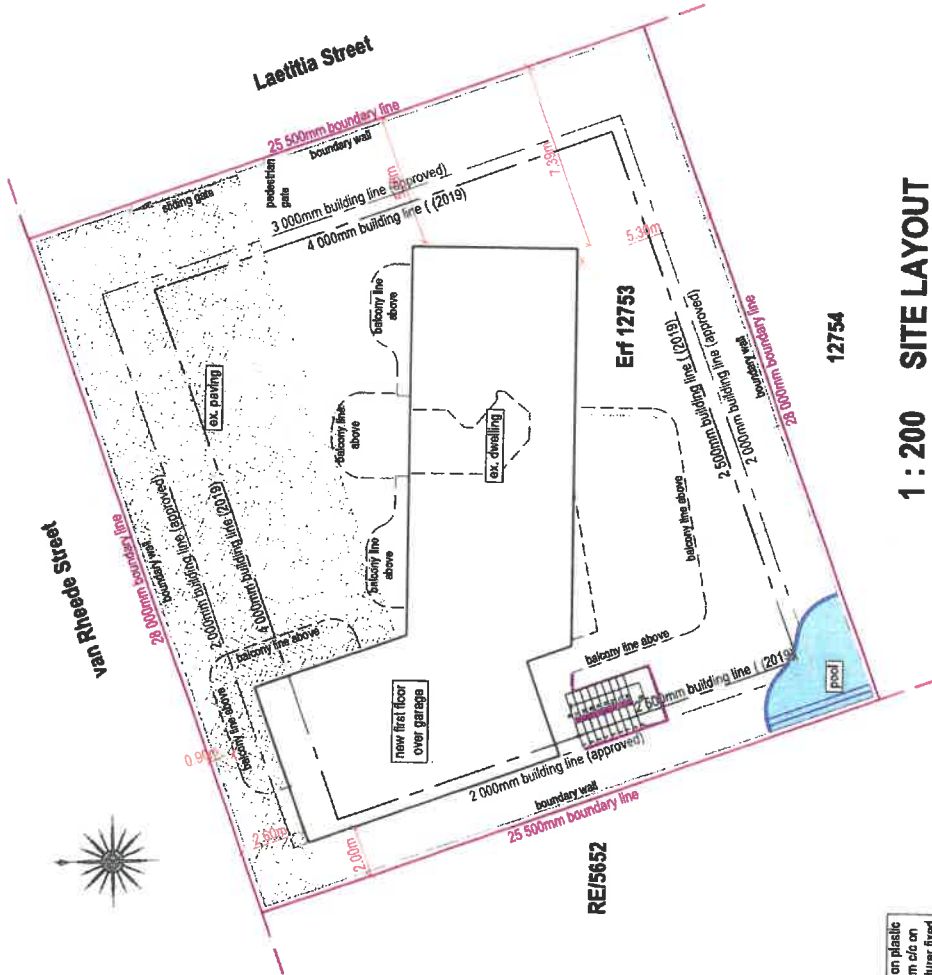

FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

25/7/2023
DATE:

IMPORTANT

The contractor must verify all dimensions and levels shown on this drawing on site. All discrepancies must immediately be reported to the architect for verification

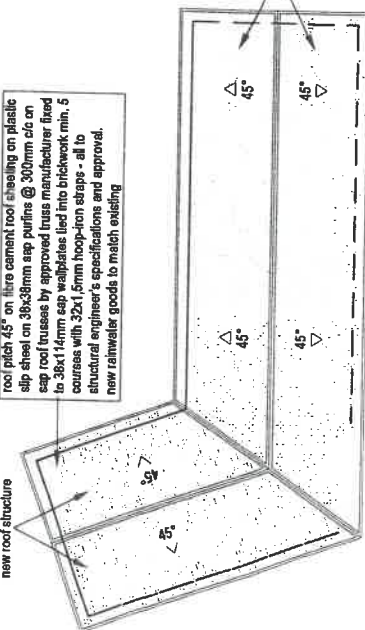
All demolitions must be done to ensure the structural integrity of the remaining brickwork. All damaged brickwork must be repaired to the satisfaction of the structural engineer



1 : 200 SITE LAYOUT

new roof sheathing on new roof structure

roof pitch 45° on fibre cement roof sheathing on plastic slip sheet on 38x38mm sap purline @ 300mm c/c on sap roof trusses by approved truss manufacturer fixed to 38x14mm sap wallplates tied into brickwork min. 5 courses with 32x15mm hoop-iron straps - all to structural engineer's specifications and approval. new rainwater goods to match existing



1 : 200 ROOF LAYOUT

Drawings by:

WA Hammers PricArchT
SACAP PSAT 20556
98 Bloekorn Avenue
Stellenbosch
Cell: 084 802 2222
Email: wll@atelljewithammers.co.za

WAH

Areas	
Ground Floor	128m ²
Ground Floor	41m ²
Garage	198m ²
Total Ground Floor (covered)	
First Floor	102m ²
First Floor (existing)	63m ²
First Floor (new)	29m ²
Balconies (existing)	62m ²
Balconies (new)	256m ²
Total First Floor (covered)	
Total Covered Area	256m ²
Property Area	714m ²
Cover	35.8%

André Franzsen and Associates

Consulting Engineers

af

Project Title

House dos Santos,
Erf 12753, Stellenbosch

Service Title

Alterations and Additions

Drawing Title

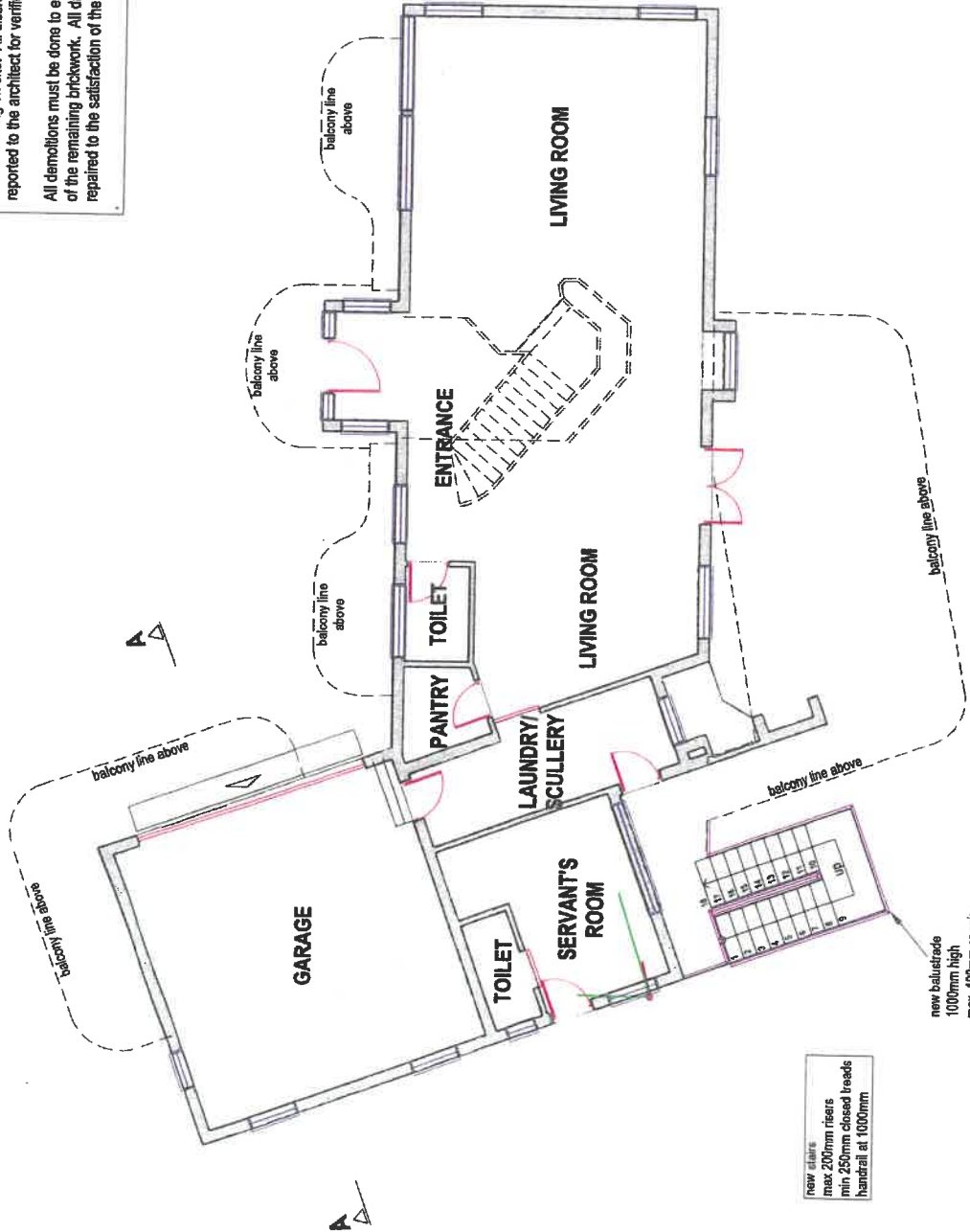
Site Plan, Roof Plan

Drawing Number	
2023/12 - 001	
Scale	
1 : 200	
Date	
Feb, 2023	
Checked	
af	
on original drawing	

IMPORTANT

The contractor must verify all dimensions and levels shown on this drawing on site. All discrepancies must immediately be reported to the architect for verification

All demolitions must be done to ensure the structural integrity of the remaining brickwork. All damaged brickwork must be repaired to the satisfaction of the structural engineer



new staircase
max 200mm risers
min 250mm closed treads
handrail at 1000mm

new balustrade
1000mm high
max. 100mm openings

1 : 100 GROUND FLOOR LAYOUT

Areas	
Ground Floor	128m ²
Ground Floor	41m ²
Garage	198m ²
Total Ground Floor (covered)	
First Floor	102m ²
First Floor (existing)	63m ²
First Floor (new)	29m ²
Balconies (existing)	62m ²
Balconies (new)	256m ²
Total First Floor (covered)	
Total Covered Area	256m ²
Property Area	714m ²
Cover	35.8%

André Franzsen and Associates
Consulting Engineering Services



Project Title
House dos Santos,
Erf 12753, Stellenbosch

Service Title
Alterations and Additions

Drawing Title
Ground Floor Layout

Taken/Issued	Drawn	Checked	Scale	Date
2023/12 - 002	1 : 100	Feb, 2023		
af	af	af		

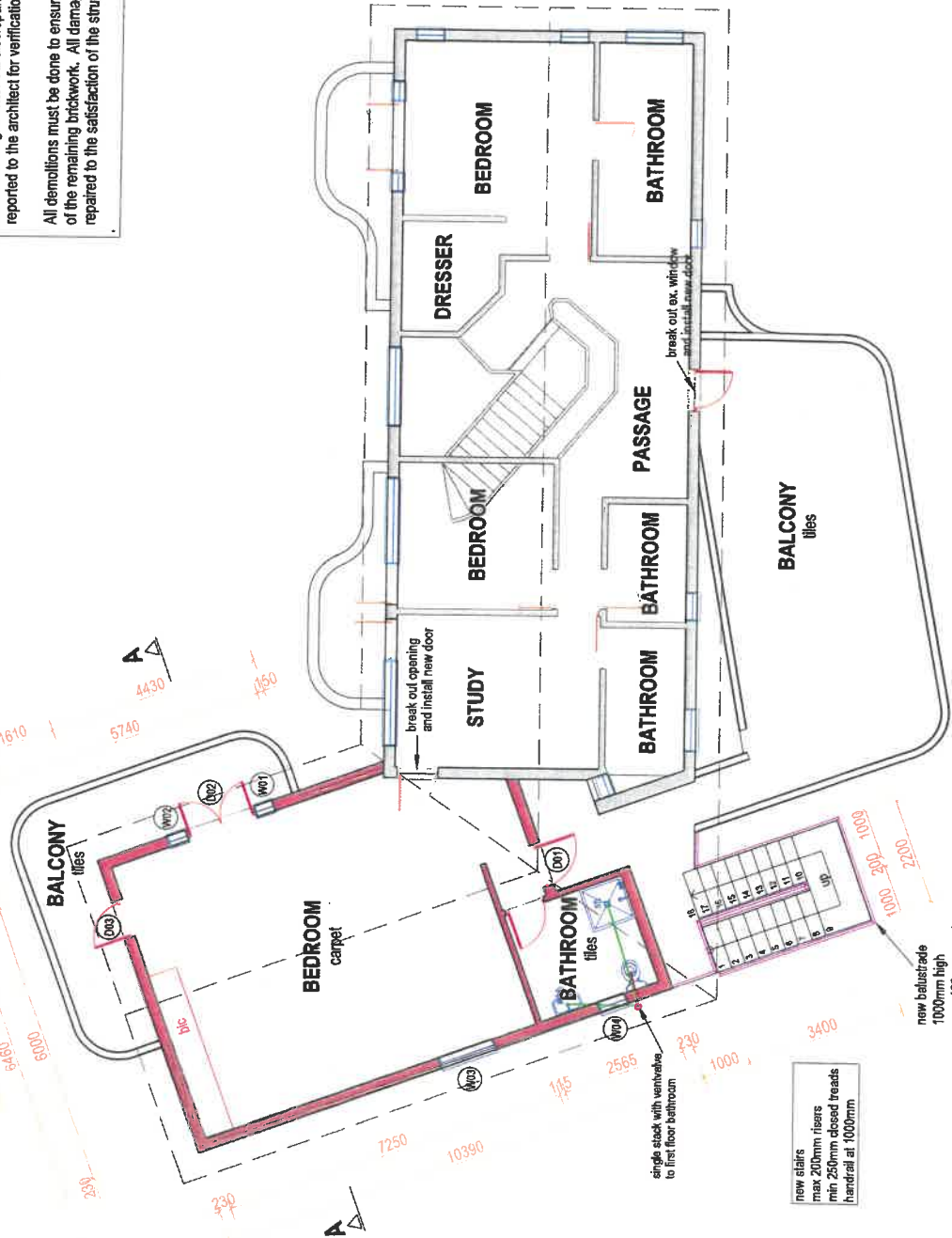
Drawings by:
WA Hammers PArchT
SACAP PSAT 20556
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Stellenbosch
Cell: 084 802 2222
Email: wil@alellewillhammers.co.za



IMPORTANT

The contractor must verify all dimensions and levels shown on this drawing on site. All discrepancies must immediately be reported to the architect for verification

All demolitions must be done to ensure the structural integrity of the remaining brickwork. All damaged brickwork must be repaired to the satisfaction of the structural engineer



1 : 100 FIRST FLOOR LAYOUT

Areas	
Ground Floor	128m ²
Garage	41m ²
Total Ground Floor (covered)	198m²
First Floor	102m ²
First Floor (existing)	63m ²
First Floor (new)	29m ²
Balconies (existing)	62m ²
Balconies (new)	256m ²
Total First Floor (covered)	256m²
Total Covered Area	256m²
Property Area	714m ²
Cover	35.8%

André Franzsen and Associates
Consulting Engineering Services

af

Project Title
**House dos Santos,
Erf 12753, Stellenbosch**

Service Title
Alterations and Additions

Drawing Title
First Floor Layout

Taken by	Designed by	Drawn by	Checked by	on original drawing
2023/12 - 003	2023/12 - 003	2023/12 - 003	2023/12 - 003	2023/12 - 003
Scale	1 : 100	1 : 100	1 : 100	1 : 100
Date	Feb. 2023	Feb. 2023	Feb. 2023	Feb. 2023
on original drawing				

Drawings by:
WA Hammetts P/SArchT
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Stellenbosch
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Email: wil@alewillhammetts.co.za

WAA