



Application Number: LU/15186

Our File Reference Number: Erf 723, Kylemore

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 808 8682

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

PER E-MAIL: [REDACTED]

Sir

APPLICATION FOR A DEPARTURE ON ERF 723, KYLEMORE

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 in terms of Section 15(2)(b) of the Stellenbosch Municipality Land Use Planning Bylaw 2015 in order to relax the common building line (adjacent to Erf 722) from 2,5m to 0m in order to accommodate the proposed braai area on Erf 723, Kylemore.
 - 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.
 - 2.2.1 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. 22-02-822, dated 18 February 2022 (sheet 1-3) and drawn by Design Draughting Studio and attached as Annexure C.

- 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 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.
- 2.2.5 Building plans must be generally in accordance with the site plan / floor layout plan as referenced drawing no. 22-02-822, dated 18 February 2022 (sheet 1-3) and drawn by Design Draughting Studio and attached as Annexure C.

3. The reasons for the above decision are as follows:

- 3.1.1 The proposed development is in line with the existing land use of the property and will thus have not impact negatively on the character of the area.

4. 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.

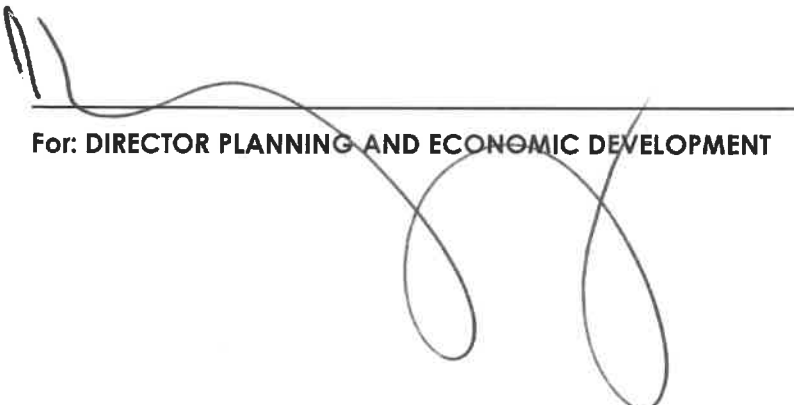
(c) The grounds of the appeal which may include the following grounds:

- (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**

22/6/2023
DATE:

Annexure C: Site Plan

Notes

Roof: Truss design and timber grades to be certified by Professional Engineer.

Ceiling: 6.4mm fibre board skinned joistlets on 35x30 battens at 400mm cc.

Rain Water Disposal: Waterless aluminium guttering with 80mm dia PVC down pipe. Floor level to be finished to existing level.

Walls: 230 external, 90 internal brick with plastered and parged to match existing. Block facing to be finished to match existing. Un-rendered parapet walls may not exceed 500mm in height.

Floor: All new internal walls, window and door openings should be supplied with suitable sized foundations or slab thickening.

Windows & Doors: No new window and door schedules. All openings to comply with requirements of SANS 10137 & 10400. All openings to be finished to match existing. All openings to be finished to match existing. All openings to be finished to match existing.

Foundations: Footings not to encroach over boundaries.

Drainage: Any damaged fittings to be replaced.

General: All dimensions to be confirmed on site.

Sanitation: Maximum invert level of sewer to be 450mm at highest point.

Roof: Truss design and timber grades to be certified by Professional Engineer.

Ceiling: 6.4mm fibre board skinned joistlets on 35x30 battens at 400mm cc.

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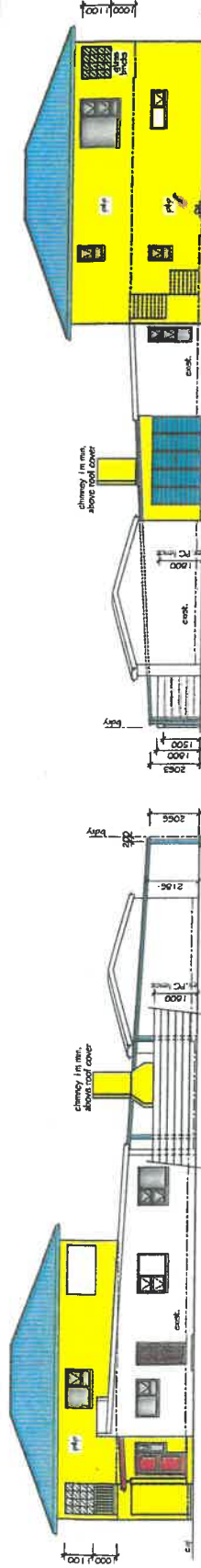
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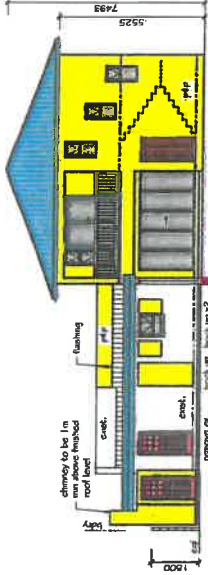
Foundations: Footings not to encroach over boundaries.

Drainage: Any damaged fittings to be replaced.



North West Elevation

South East Elevation



North East Elevation

South West Elevation - Section D-D

Notes

NOT WATER SYSTEM: Section shall comply with SANS 10137 and SANS 10400. All openings to be finished to match existing. All openings to be finished to match existing. All openings to be finished to match existing.

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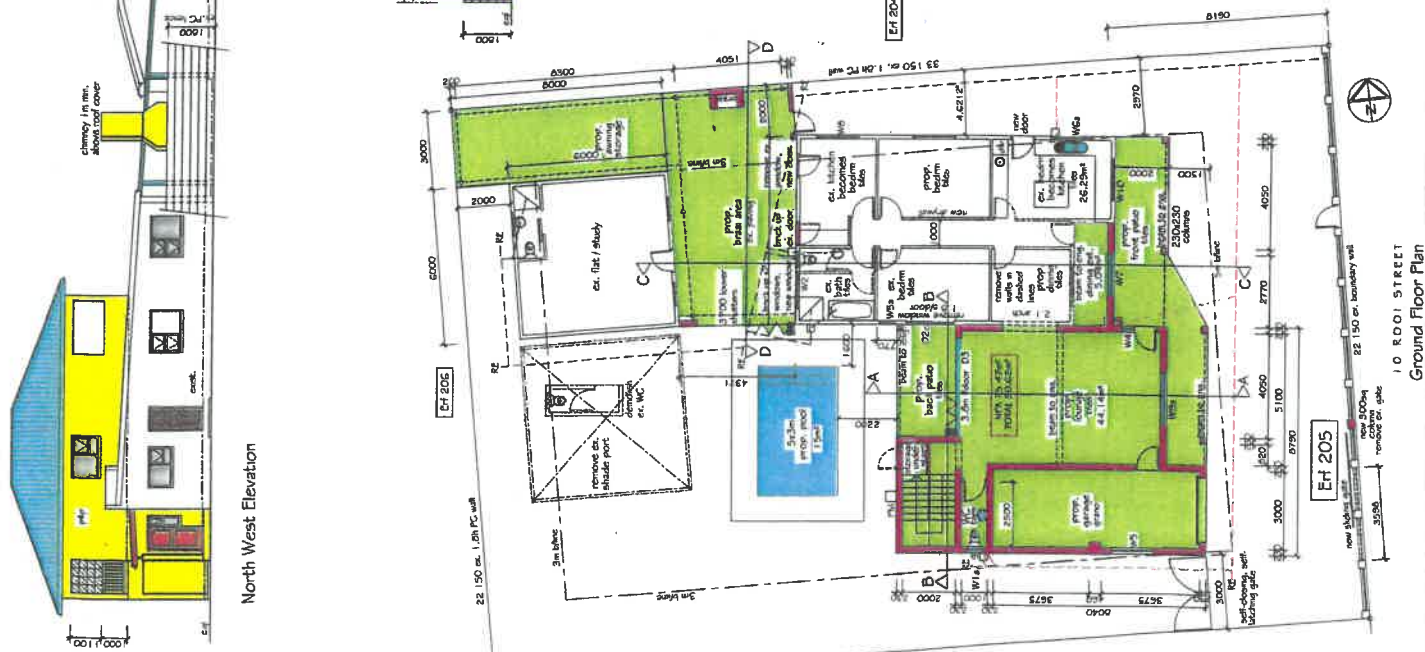
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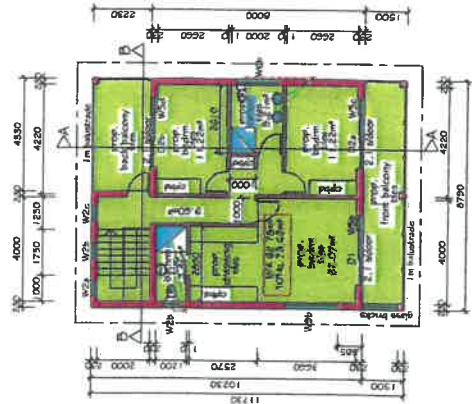
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Ground Floor Plan



First Floor Plan

Neighbours' Consent

Name: Mr. C.C. Adams
 Address: 10 Rooi Street, Stellenbosch
 Signature: [Signature]
 Date: 22-02-2022

Design Draughting Studio

Professional Architectural Draughtsperson

Client: Mr C.C. Adams

Mrs A.L. Adams

Tel: 0828 97778

Project: Proposed Additions and Alterations to ex. Dwelling

Et 205 723

10 Rooi Street

Stellenbosch

Occupation classification = H4

PLAN, ELEVATIONS, SECTIONS & SITE PLAN

Scale: 1:100

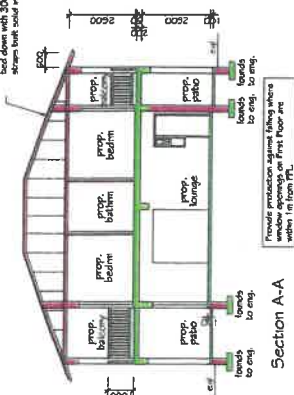
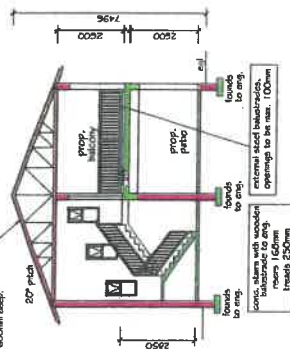
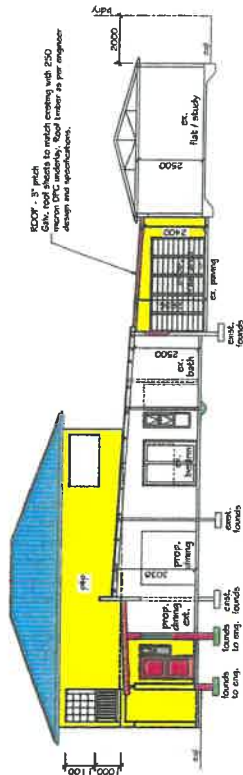
Drawn: Janet Barnard

Day No: 22-02-2022

Rev: 0

Sheet 1 of 3

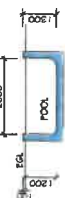
ROOF - 20" pitch
gully, slooting to match existing on 30x36 bottom @
320mm dc on pre engineer designed trusses @ 760mm dc
on 30 x 14mm wall plate, SABS approved underlay, Trusses
bed down with 30mm wide x 1,6mm thick gms hoop iron
straps built into wall brackets at least 200mm down



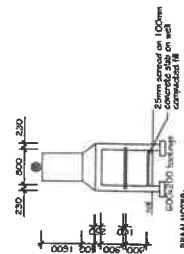
Insulation - 405 Residential
Double gided insulation = R value - 1.3
min airspace min 15 mm

ROOF 1
Galv IFR sheathing R value = 0.050
Double sided Alucanchem = 1.350
100 thick Isotherm 11.51gyn = 2.330
6.4mm Rhinoboard ceiling = 0.050
TOTAL = 3.780
R value required Zone 4 = 3.70

To comply with SANS 10400 XA and 204

[illegible][illegible]

Door Glazing Schedule



POOL NOTES :
Pool constructed of laminated Meropans
brick.
All excavated and to be removed from site.
Left overhanging to enable SMC.
Backfill to discharge into sewer system.
Provide 1 in. brick paving around pool area.
All gates to pool area to be self-dumping and
self-latching.
All pool fencing to have max. vertical opening
of 1.00m minimum.
Fencing to be 1.2m min. high with self-dumping
vertical sliding gates. Fencing to have min.
vertical opening of 1.00m minimum.
In terms of water by year 2010, Section 36(1)
and Section 62, the swimming pool may not be
filled with municipal water.

Swimming Pools

- a) Swimming pools to have a minimum 1.0 m setback from all boundaries.
- b) Swimming pools must be drained into the sewerage system and not onto landscape, natural or conservation areas.
- c) Swimming pools must be built into the ground.

2021 | 2020

00211 0470

0	for submission	20.02.2022
Rev.	description	date

Design Draughting
Studio

Client _____ Tel: 0828197778

Mr C.C. Adams
Mrs A.L. Adams

Project
Proposed Additions and
Alterations to pool to ex. Dwelling
Erf 295 723
10 Rooi Street
Kylemore
Stellenbosch
Occupation classification = M4

Title _____

SECTIONS, SCHEDULES
‡ DETAILS

Scale	1:100	AI
Drawn	Janet Burmud	18.02.2022
Eng. No.	22-02-822	Rev. 0

Sht 2 of 3

